

AGENDA BILL APPROVAL FORM

Agenda Subject: Resolution No. 4565 Preliminary Plat of Forest Glen at Lakeland, Application No. PLT06-0003		Date: January 22, 2010
Department: Planning and Development	Attachments: Resolution No. 4565 and Exhibits	Budget Impact: N/A

Administrative Recommendation:
City Council adopt Resolution No. 4565.

Background Summary:

In October 2008, the City Council changed their role in approving quasi-judicial applications. This change included preliminary plats, where previously the City Council made the decision and now the Hearing Examiner makes those decisions. The preliminary plat of Forest Glen at Lakeland was submitted November 2006 and determined complete on April 3, 2007, which vests this application to the code in place at that time. This means that the City Council will make the decision as the code change removing the council from this role took place October 2008.

On December 16, 2009 the Hearing Examiner held a public hearing on a proposed 30 lot preliminary plat called "Forest Glen at Lakeland." This plat is between the already approved Lakeland Hills Estates and Kersey III, Divisions 1 and 2 subdivisions.

The preliminary plat also includes three deviation requests:

1. A deviation from Design Standards Section 10.02.1 for the minimum horizontal curve radius of 375 feet. The applicant has requested this deviation to create a 100 foot horizontal curve radius on the transition between Udall Street SE and 53rd Street SE. Staff supports this requested deviation contingent on the completed construction of the planned installation of traffic calming measures on 53rd Street SE which will encourage lower speeds into the curve.

2. A deviation from Design Standards Section 10.02.1 for the maximum vertical grade of 6 percent. The applicant has requested a deviation to create a vertical grad of up to 8 percent on 54th Street SE. Staff supports the requested deviation since the steeper grades help provide a plat layout that accommodates a second street access serving this development, the street grades also minimize the grading of the site, the steeper grades only apply to a portion of one of the two streets serving the development, the proposed grades accommodate reasonable access to adjacent lots, and the grades afford no appreciable impact to the maintenance and operations of the planned public utilities in the street.

L0201-2

O3.5 PLT06-0008

Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input checked="" type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____	Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Information Services </div> <div style="width: 48%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
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Action:

Committee Approval: ☐ Yes ☐ No
 Council Approval: ☐ Yes ☐ No
 Referred to _____ Until ____/____/____
 Tabled _____ Until ____/____/____
 Call for Public Hearing ____/____/____

Councilmember: Norman	Staff: Snyder
Meeting Date: February 1, 2010	Item Number: VIII.B.4

3. A deviation request has been requested from the requirement to provide a looped main in order to instead construct a dead-end main (ACC 13.16.090) at the terminus of Victoria Avenue SE. Staff supports the requested deviation since dead-end main area not uncommon at a cul-de-sac where flushing devices (such as fire hydrants) are installed to routinely flush the main and eliminate possible water quality issues associated with dead-end mains.

The preliminary plat also includes one modification request from the requirement in Auburn City Code (ACC) 17.12.250 that corner lots be designed to each have an additional 5 foot width that required by zoning. Lots 13 and 15 are designed as 75 foot wide lots and meet the minimum zoning standard. Staff supports the modification request, these two lots can not be further widened as both the lot and street layout is physically constrained by slopes, street design standards, zoning standards, and compliance with the Comprehensive Plan density. The two lots are not adjacent to one another; they are separate by Lot 14. It is further noted, that if the recently adopted Titles 17 and 18 were to be applied, a total width of 55 feet would be required for each lot.

On January 4, 2010 the Hearing Examiner recommended approval of the preliminary plat request subject to conditions and the two deviation requests and one plat modification. The Hearing Examiner does not have authority in regards to the dead-end water main. The Hearing Examiner did modify staff's recommended condition of approval #1 and #7 that addresses completion of adjacent projects/infrastructure prior to granting final plat approval for Forest Glen at Lakeland. Staff is concerned how the two conditions are phrased especially since code and state law allow a final plat to be recorded without the improvements finalized by the applicant posting a financial guarantee. The conditions of approval in Resolution No. 4565 include staff's rephrasing of conditions #1 and #7.

The seven day reconsideration request deadline for the proposal ended January 13, 2010 at 5:00 p.m. There were no reconsideration requests filed.

List of Exhibits

Exhibit 1	Staff Report, dated 12/7/2009 (Note: See Revised Staff Recommendation -Hearing Exhibit 28)
Exhibit 2**	Preliminary Plat Application filed Nov.13, 2006
Exhibit 3	Revised Preliminary Plat, prepared by Rupert Engineering, Inc. received 11/06/2009
Exhibit 4	Vicinity Map of Area, prepared by Auburn City staff dated 12/4/09
Exhibit 5	SEPA Mitigated Determination of Non Significance/MDNS SEP06-0035 issued 10/30/2009
Exhibit 6**	Final Staff Evaluation for Environmental Checklist SEP05-0039 dated 8/17/06
Exhibit 7**	Environmental Checklist dated 11/06/2006
Exhibit 8**	Wetland and Stream Analysis Report, prepared by Sewall Wetland Consulting, dated 10/24/2006
Exhibit 9**	Geotechnical Engineering Report, prepared by Geotech Consultants, Inc., dated 3/30/2007
Exhibit 10**	Addendum to the Geotechnical Engineering Report, prepared by Geotech Consultants, Inc., dated 4/4/2008
Exhibit 11**	Preliminary Drainage Report, Rupert Engineering Inc, 3/2008.
Exhibit 12**	Trip Generation and Distribution Report, prepared by Transportation Solutions, Inc. (TSI), 1/15/2007
Exhibit 13	Request for Deviation from Street Design Standards, Rupert Engineering Inc, dated 8/13/2009
Exhibit 14	Request for Deviation from ACC13.60 to allow a dead-end main, Rupert Engineering Inc, dated 3/18/2008
Exhibit 15	Request for Modification from ACC17.12.250 to allow 75 foot wide corner lots , Rupert Engineering Inc, dated 12/4/2009
Exhibit 16**	Notice of Application/SEPA: dated 12/3/2008
Exhibit 17**	Notice of Public Hearing 12/3/2008
Exhibit 18**	Affidavit of Posting for Notice of Public Hearing dated 12/7/2009 certifying posting 12/5/2009

- Exhibit 19** Affidavit of Mailing for Notice of Public Hearing 12/3/2009
- Exhibit 20** Affidavit of Publication for Notice of Public Hearing 12/3/2009
- Exhibit 21** Affidavit of Publication by the Seattle Times, received 12/7/2009
- Exhibit 22** Resolution # 4116, approved on 12/20/2006 granting preliminary plat approval of PLT05-0004
Lakeland Hills Estates
- Exhibit 23** Hearing Examiner report and recommendation for PLT05-0004 Lakeland Hills Estates, dated
11/21/2006
- Exhibit 24** Resolution 4021 for Kersey 3 Divisions 1A preliminary plat approval PLT05-0001
- Exhibit 25** Resolution 4024 for The Ridge at Bowman Creek preliminary plat approval PLT05-0002
- Exhibit 26** Exhibit A to Resolution referenced in Exhibits 24 & 25, Hearing Examiner report and
recommendation
- Exhibit 27** Final Archeology Report for Kersey 3 Development
- Exhibit 28 Revised Staff Recommendation presented at Hearing, dated 12/16/2009
- Exhibit 29 Proposed revisions to condition 1 submitted by D. Dormier, dated 12/16/2009

***** Exhibit not included in the packet but is available for review upon request.***

RESOLUTION NO. 4 5 6 5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, APPROVING A PRELIMINARY PLAT APPLICATION TO SUBDIVIDE TEN ACRES INTO THIRTY LOTS AND THREE TRACTS FOR WETLANDS AND BUFFERS, OPEN SPACE, AND UTILITIES WITH THREE DEVIATION REQUESTS AND ONE PLAT MODIFICATION, WITHIN THE CITY OF AUBURN, WASHINGTON

WHEREAS, Application No. PLT06-0008, dated November 13, 2006, has been submitted to the City of Auburn, Washington, by Roger B. Gillette, requesting approval of a preliminary plat application to subdivide 10 acres into 30 lots for future residential development with three deviation requests and one plat modification, and three tracts within the City of Auburn, Washington; and

WHEREAS, said request above was referred to the Hearing Examiner for study and public hearing thereon; and

WHEREAS, following staff review, the Hearing Examiner conducted a public hearing to consider said petition in the Council Chambers of the Auburn City Hall on December 16, 2009, after which, on January 4, 2010, the Hearing Examiner made Findings of Fact, Conclusions of Law and Recommendations in which the Hearing Examiner recommended approval of the preliminary plat subject to conditions; and

WHEREAS, the City Council, at its meeting of February 1, 2010, considered and affirmed the Hearing Examiner's recommendation for preliminary plat based upon said Findings, Conclusions and Recommendations as amended.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON HEREBY RESOLVES as follows:

Section 1. The Hearing Examiner's Findings, Conclusions and Recommendations attached hereto as Exhibit "A" incorporated in this Resolution by this reference, are hereby approved and adopted, except as noted herein below.

Section 2. The request for preliminary plat approval to subdivide 10 acres into 30 lots for future residential development, and open space, utility, and wetland tracts within the City of Auburn, legally described in Exhibit "B" attached hereto and incorporated herein by this reference, is hereby approved subject to the following conditions:

GENERAL

1. Adequacy of infrastructure to the proposed subdivision is dependent upon completion of infrastructure improvements upon three adjoining subdivisions that are between preliminary and final plat approval. The adjoining subdivisions are identified by preliminary plat approval as follows: Resolution 4021 for Kersey 3 Div. 1 (PLT05-0001), Resolution 4024 for The Ridge At Bowman Creek (PLT05-0002), and Resolution 4116 for Lakeland Hills Estates (PLT05-0004). The subject application shall not be granted final plat approval until the earlier of (1) final plat approval of all three of the adjoining subdivisions; or (2) a staff determination that all connecting infrastructure on the adjoining subdivisions has been completed and accepted (to the extent acceptance is required) by the City, or an alternative to completion and acceptance is provided that ensures adequate infrastructure to the satisfaction of staff. The staff determinations for Option (2) shall be made in conjunction with the review of a request for final plat approval.
2. Plat boundary discrepancies as may arise shall be resolved to the satisfaction of the City engineer prior to the submittal of the final plat documents. As used in this condition, "discrepancy" is a boundary hiatus, an overlapping boundary or a physical appurtenance which indicates an encroachment, lines of possession or a conflict of title. RCW 58.17.
3. A homeowners' association shall be established which clearly provides for the ownership and continued maintenance of Open Space Tract B, Wetland/Critical Area Tract C, and Maintenance of landscaping within the Utilities and Drainage Pond/Tract A.

4. Nothing in these conditions shall preclude completion of infrastructure improvements by others. Should required off-site improvements be completed by others, the applicant will be responsible for paying any required pro rata share of the costs as may be established and approved by the City, ACC 13.40.060.

ROADS

5. Road facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual road system design layout per Exhibit 3 . To provide road access to the existing external road network substantial new infrastructure improvements are required including the completion and acceptance of the road infrastructure required to serve the Kersey 3 Division 1A, The Ridge At Bowman Creek, and Lakeland Hills Estates developments.

Final acceptance of these streets by the City will also require construction and acceptance of all supporting and related infrastructure, such as storm water facilities to collect storm runoff from streets.

6. The applicant shall construct all street improvements in compliance with Auburn Design Standards, with the exception of the two deviations from maximum vertical curve radius on the transition between Udall St. SE and 53rd St SE. and from maximum vertical grade on 54th Street SE., as shown on the approved preliminary plat if those deviation requests are supported by the City Council.
7. Construction activities within the plat shall not commence until the connecting streets have been constructed, dedicated, and accepted by the City, PROVIDED, that if the applicant has access for construction vehicles that staff determines is safe and meets City standards, the applicant may proceed with construction of infrastructure to the extent that corresponding road grades, water, sewer, power, cable, and gas utility extensions on adjoining lots have been completed to the satisfaction of staff.
8. Where retaining walls are used adjacent to public roads or within a public facility, the applicant shall provide either mechanically stabilized earth or cement concrete retaining walls, as determined as necessary and approved by the City Engineer.
9. The applicant shall design and construct traffic calming circles on 53rd St. SE and 54th St. SE as shown on the preliminary plat.
10. Internal plat streets and utilities shall be extended to the adjoining property (west) as depicted on the preliminary plat.

SEWER

11. Sanitary sewer facilities shall be provided, constructed and accepted consistent with the City of Auburn Design Standards and the conceptual sanitary sewer system design layout. The applicant will connect the gravity sewer system to the south end of the gravity sewer planned to be constructed as part of the Lakeland Hills Estates and the Kersey 3 Division 1A developments. .
12. The applicant shall grant the City additional easement area on Lot 9 to provide a combined width of 30 feet across Tract A and Lot 9 as shown on the preliminary plat maps.

WATER

13. Water facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual water system design layout per the preliminary plat Exhibit 3. To provide adequate water storage and distribution for both domestic water and fire flow, substantial new infrastructure improvements are required including the completion and acceptance of the water infrastructure required to serve the Kersey 3 Division 1A, the Ridge At Bowman Creek, and Lakeland Hills Estates developments.
14. A deviation from the Design Standards is allowed, permitting construction of a dead-end main at the terminus of Victoria Ave SE, if supported by the City Council. Fire hydrant location shall be approved by VRFA and City Engineer.
15. A restriction shall be placed on the final plat stating: "The lowest floor elevation, whether basement or first floor, for residential structures built on Lots 7 through 12 is at or above elevation 352, in order to avoid high water pressure which would require the installation of individual pressure reducing valves."

GRADING, FILL AND STORM DRAINAGE

16. The geotechnical report and addendum report includes recommendations which in part address foundations of homes on fill on Lots 7-10. The placement of structural fill will require special inspection and completion of the City's special inspection forms. Lots 7-10 may require an engineered foundation design for footing placed on structural fill. If determined to be necessary at the time of plat engineering approval, a note shall be included on the face of the plat stating the restriction.
17. Storm drainage facilities shall incorporate high standards of design to enhance the appearance of the site and serve as an amenity. The design of above ground storage and conveyance facilities shall incorporate landscaping utilizing native

vegetation, minimal side slopes, safety, maintenance needs, and function. Prior to engineering approval and construction, a landscaping plan with applicable cross-sections shall be provided to demonstrate that storm drainage pond aesthetic requirements consistent with City standards can be accommodated on-site.

18. All storm drainage conveyance lines required to manage upstream bypass surface flows shall be routed through the project site and shall not be combined with the proposed on-site storm drainage system.
19. The HOA shall maintain those portions of the Public Utilities and Detention Tract A located outside the fenced pond boundary, or if no fence is provided, outside the 10-year storm water surface elevation, as determined by the City Engineer.
20. Given the steep slopes found on the site, appropriately designed energy dissipation features are required at the end of long runs of pipe, at pipe intersections and at the inlet/outlet to the storm drainage pond.
21. Storm drainage facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual storm drainage system design layout per (Exhibit 3). In order to achieve this, the following design elements shall be incorporated into the proposed design:
 - Construct a 3' wide berm and security fence @ the 10-year water surface elevation.
 - Maintenance is required along the length of the bioswale.
 - Geotechnical engineering recommendations.
 - Install bollards at the pond access road.
 - Meet minimum access turning radius requirements at all vehicular accessible areas.
22. All residential downspout connections and footing drains shall be tightlined to the nearest public drainage system and be placed within private drainage easements.
23. Prior to issuance of clearing or grading permits, a grading plan for grading and clearing necessary for both the construction of infrastructure such as roads and utilities and for lot grading shall be prepared, submitted and approved by the City of Auburn. The purpose of the plan is to accomplish the maximum amount of grading at one time to limit or avoid the need for subsequent grading and disturbance, including grading of individual lots during home construction. The plan shall identify the surveyed boundary of the crest slopes for the site's 40% or greater slopes. This plan shall show quantities and locations of excavations, and embankments, the design of temporary storm drainage detention system, and methods of preventing drainage, erosion and sedimentation from impacting

adjacent properties, natural and public storm drainage systems and other nearby sensitive areas. Temporary detention facilities shall be designed with a 1.5 safety factor applied to the post-developed calculated pond design volume for the 25-year 24-hour post developed storm event. All the measures shall be implemented prior to beginning phased on-site filling, grading or construction activities. The applicant's grading plans shall be prepared in conjunction with and reviewed by a licensed geotechnical engineer. The geotechnical engineer shall develop and submit, for the City's review, specific recommendations to mitigate grading activities with particular attention to developing a plan to minimize the extent and time soils are exposed on site and address grading and related activities during wet weather periods (the period of greatest concern is October 1 through March 31). The plans shall show the type and the extent of geologic hazard area or any other critical areas as required in Chapters 16, and 18 of the International Building Code (IBC). (Policy EN-69, EN-70, ACP) and/or the City's Critical Areas Ordinance. Also see SEPA Mitigations and Wetland conditions below, Conditions 29-33 and 36-37.

24. Upon completion of rough grading and excavation, the applicant shall have a geo-technical engineer re-analyze the site and determine if new or additional mitigation measures are necessary. A revised geotechnical report shall be submitted to the City of Auburn for review and approval by the City Engineer. Recommendations for areas where subsurface water is known or discovered shall be given particular attention by the geotechnical engineer and coordinated with the project engineer responsible for the storm drainage system design.
25. Any discharge of sediment laden runoff or other pollutant to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington. All releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials during construction must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.
26. Prior to commencing site clearing or grading activities, the applicant shall submit a proposed dust control plan for review and approval. This plan shall show methods of preventing dust from impacting adjacent properties, natural and public storm drainage systems, and right-of-ways. Control measures shall be implemented prior to the beginning and in conjunction with on-site clearing, filling, grading or other construction activities.
27. Truck Route -Prior to issuance of grading or other construction permits, the applicant shall submit a haul route plan explaining: roads to be traveled on, type of material to be hauled, total quantity of material to be hauled, total number of expected days of the haul, expected daily start and end time of the haul, total

number of trips, total number of expected trips per day estimated start and completion date. A traffic control plan shall be submitted showing intended methods and placement of traffic control and clearly showing the site entrance used for hauling. Based on the haul route plan, the City Engineer may condition hauling operations to mitigate impacts to streets. Such measures may include road repair or reconstruction, limitations to days and times of the haul, and installation of traffic control measures.

WETLANDS

28. The Category 4 Wetland and associated 25 foot wide buffer shall be preserved in a separate critical areas tract, and shown as the final plat. Final plat notes shall be recorded and include the following statement:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND BUFFERS

Restrictions of a Critical Area Tract/ Critical Area and Buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The Critical Area Tract/ Critical Area and Buffer imposes upon all present and future owners and occupiers of the land subject to the Critical Area Tract/ Critical Area and Buffer the obligation, enforceable on behalf of the public by the City of Auburn, to leave undisturbed all trees and other vegetation within the Critical Area Tract/ Critical Area and Buffer. The vegetation within the Critical Area Tract/ Critical Area and Buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City of Auburn, Department of Planning, Building and Community, unless otherwise provided by law.

The common boundary between the Critical Area Tract/ Critical Area and Buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of the City of Auburn prior to any clearing, grading, building construction or other development activity subject to the Critical Area Tract/ Critical Area and Buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the Critical Area and Buffer are completed.

No building foundations or other structures are allowed to be located within the Critical Area and Buffer, nor shall any foundations or structures be located adjacent to the Critical Area and Buffer such that normal maintenance of buildings or structures would result in intrusion of the Critical Area and Buffer

29. A wetland hydrology analysis shall be prepared by a qualified professional to assess whether or not the proposed storm drainage control system will result in a net loss of wetland hydrology, function and value. The wetland shall be monitored over a 3 year period to determine if a net loss in wetland hydrology, functions, and/or values has resulted. A monitoring schedule and contingency plan for the wetland shall be submitted for review and approval by the Planning Director prior to the commencement of any construction activities.
30. Temporary Wetland Markers. The outer perimeter of the critical area buffer and the limits of those areas to be disturbed shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by PB&C Department prior to the commencement of authorized activities. This temporary marking shall be maintained throughout construction, and shall not be removed until permanent signs are in place.
31. Permanent Wetland Signs. The applicant shall install permanent signs along the boundary of Wetland/Critical Area and Buffer Tract C. Permanent signs shall be made of a metal face and attached to a metal post, anchored, or other materials of equal durability approved by PB&C. Signs must be posted at an interval of one per every 50 feet, and must be maintained by the homeowner association in perpetuity.
32. Fencing: A permanent split rail fence shall be installed at the edge of the wetland buffer to discourage human activities within the buffer area. Fence design, including dimensions and materials shall be approved by the Director of Planning, Building & Community.

LOT DIMENSIONS

33. A modification from ACC 17.12.250 is allowed, permitting a 75' width for the two corner lots on Udall Ave SE, if supported by the City Council. All other dimensions shall comply with the vested R-1 zone.

HISTORIC

34. Site disturbing activities should be monitored by the Applicant to determine the presence, if any, of archaeological resources within the proposed subdivision site boundaries. Evidence of the presence of archaeological resources shall be promptly reported to the City of Auburn.

SEPA

35. To assure slope stability at the time of site development, geotechnical engineering is necessary. The applicant shall comply with the recommendations

contained in the Geotechnical Engineering Study dated March 30, 2007 and Addendum dated April 4, 2008, prepared by Geotech Consultants, Inc.; policy mandates of the Auburn Comprehensive Plan; and Critical Areas Chapter, ACC 16.10 by having a licensed geotechnical engineer sign and stamp civil plans for site development permits (including, but not limited to grading, facility extension and building permits for retaining walls).

All other recommendations contained in the Geotechnical Engineering Study shall be made conditions of project/permit approvals for plat development. For example, a qualified geotechnical representative shall be present during the site clearing and grading; and a qualified geotechnical representative shall conduct frequent density tests as structural fill is being placed and compacted.

36. To mitigate for aesthetic and wildlife impacts and support slope stability, due to the removal of significant trees and creation of steep slopes, a revegetation plan shall be prepared meeting the minimum "Best Management Practices" per Washington State Department of Ecology guidance for planting native vegetation on steep slopes. The plan shall be prepared by a plant biologist (or other professional with equivalent degree) and geotechnical engineer.

Final revegetation of slopes graded to 40% (2.5:1 ratio) or greater shall conform to the revegetation plan. Planting shall be completed prior to final plat approval. A financial guarantee shall be posted for three years to assure maintenance, survival and replacement of vegetation.

Section 3. The Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 4. This Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2010.

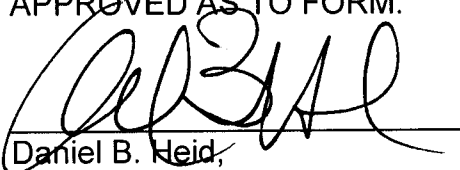
CITY OF AUBURN

PETER B. LEWIS,
MAYOR

ATTEST:

Danielle E. Daskam,
City Clerk

APPROVED AS TO FORM:



Daniel B. Heid,
City Attorney

BEFORE THE HEARING EXAMINER FOR THE CITY OF AUBURN

Phil Olbrechts, Hearing Examiner

RE: Roger B. Gillette

Preliminary Plat
PLT06-0008**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND RECOMMENDATION.****INTRODUCTION**

The applicant has proposed to subdivide approximately 10 acres into 30 single-family residential lots. Four deviations are also included in the application, specifically a deviation to (1) road grade from 5% to 8%, (2) road curve radius from 375 feet to 100 feet; (3) looping of a water main; and (4) reduction in lot width to two corner lots by five feet. The Examiner does not have jurisdiction to consider the modification to water main looping. The Examiner approves the other deviations. The Examiner recommends approval of the subdivision with conditions recommended by staff. The Examiner recommends some modifications to staff recommended conditions 1 and 7 to provide for increased flexibility in the required timing of infrastructure improvements.

ORAL TESTIMONY

Karen Scharer introduced the staff report. She introduced a revised staff report that included revisions to the original staff report and exhibits.

Dave Dormier, of Rupert Engineering, Inc., testified on behalf of the applicant. He requested that General Condition No. 1 recommended by staff in Ex. 28 be revised. He noted that it will take considerable times for adjoining subdivisions to acquire final plat approval and that he was concerned that having to wait for them would unnecessarily delay the construction of improvements on his subdivision. Mr. Dormier presented Ex. 29, which revised Condition No. 1 by allowing some work to be done before completion of roads on adjoining plats. He would like to do some temporary erosion control and forest practice work before completion of improvements on adjoining lots. He noted that under his proposed condition he would not be able to do any road work until roads on adjoining lots are completed. He said that the road work should not be held up due to the fact that other utility work is not completed on adjoining lots. He also felt that in staff proposed Condition No. 7 his road work should not be contingent upon the dedication and acceptance of roads on adjoining subdivisions, but only completion of the adjoining roads.

Ms. Scharer stated that staff was concerned that clearing and grading could occur without any assurance that connecting infrastructure would be completed. She noted

{PA0757324.DOC;1\00083.900000\ }

1 that the subject parcel is landlocked in the sense that it is completely dependent upon
2 the surrounding subdivisions for road and utility connections. She noted that
3 Lakeland Hills Estates, which adjoins the proposed subdivision, will be moving
4 forward and that engineering plans have not been issued yet but that they are in final
5 stages of development. She stated that Lakeland Hills was granted preliminary
6 approval in 2006 and is moving somewhat slowly.

7 Ms. Scharer noted that there are deviations associated with the proposal. Specifically,
8 under the subdivision regulations, an additional five-foot width is required for corner
9 lots and the applicant would like to avoid the five-foot requirement. She noted that
10 staff supports the request and that the proposed width complies with current code
11 requirements. She also identified two requested road deviations: a 100-foot curve
12 radius at 55th and Udall and at 54th and 8% slope. Traffic circles will be used to
13 mitigate for these deviations. The fourth deviation concerns a deviation to water
14 looping required for Victoria Avenue. Staff has determined that adequate service can
15 be provided to the homes in the cul de sac without looping. Staff did not agree to any
16 of the condition revisions suggested by the applicant.

17 Mr. Welsh, City Engineer, commented on the applicant's request to commence road
18 construction upon completion of adjoining roads as opposed to dedication and
19 acceptance of those roads, as proposed in staff Condition No. 7. He noted that
20 dedication and acceptance transfers liability to the City instead of making a private
21 party responsible. He noted that acceptance signifies a City finding that the road
22 meets City standards. He noted that there are safety issues associated with the
23 connecting road in the Lakeland Hills subdivision and that dedication and acceptance
24 is necessary to reduce private liability and ensure that roads are constructed to city
25 standards.

Mr. Sharer noted that the applicant will be able to work on engineering plans and
design while awaiting completion of improvements on adjoining subdivisions.

Mr. Dormier responded that delaying road construction until acceptance and
dedication will significantly increase the delay in completing secondary access
through Forest Glen for Lakeland Hills. The elevation difference between the two
roads connecting from Lakeland Hills is fifty feet. This difference in elevation
caused the need for the road connections to Forest Glen as opposed to cul de sacs,
because the difference in grade prevented the construction of an alley way or other
secondary access. If the applicant can commence road construction after completion
of Lakeland Hills road as opposed to acceptance, the secondary access on Forest Glen
can be completed with two to four months as opposed to one to two years.

Mrs. Scharer noted that Condition 7 is not unique. The Lakeland Hills subdivision
also had a condition prohibiting road construction in the southern portion of the
subdivision until the Kersey subdivision roads were dedicated and accepted.

EXHIBITS

{PAO757324.DOC;1\00083.900000\ }

1 See exhibit list of revised staff report, dated December 16, 2009. All documents in
2 the list were admitted into evidence.

3 FINDINGS OF FACT

4 **Procedural:**

- 5 1. Applicant. Roger B. Gillette
6
7 2. Hearing. The Hearing Examiner conducted a hearing on the application at
7 5:30 p.m. at Auburn City Hall in the Council Chambers on December 16, 2009.

8 **Substantive:**

9 3. Site/Proposal Description. The applicant has requested to subdivide 10
10 acres into 30 lots for detached single-family dwellings. The proposed density is 3
11 dwelling units per acre. Lots will range in size from 8,000 square feet to 12,878
12 square feet, with the average at 8,712 square feet, or 0.2 acres. All lots will have a
13 width of greater than 75 feet. Access will be provided to Kersey Way SE and the
14 extension of Evergreen Way SE. The streets will be dedicated to the City and
improved with curbs, gutters, sidewalks, lighting and landscaping. Public sewer,
water, storm drainage, and other associated utilities are also proposed in the
application.

15 4. Deviation Requests. The proposal includes four deviation requests:

16 A. Waiver of ACC 17.12.250(D), which requires an additional five feet of lot
17 width for corner lots;

18 B. Deviation from Design Standards Section 10.02.1 Table 10-1 in order to
19 reduce minimum horizontal curve radius from 375 feet to 100 feet on the transition
between Udall St. SE and 53rd St. SE.

20 C. Deviation from Design Standards Section 10.02.1 Table 10-1 in order to
21 increase the maximum vertical grade from 6% to 8% on portions of 54th St.

22 D. Deviation from ACC 13.16.090, which requires a looped water system.
23 The applicant requests a dead-end main for Victoria Ave. S.E.

24 Staff recommends approval of all four deviations, which presumably includes the
support of the City Engineer for the road deviations.

25 The requested deviations to road grade and horizontal curve are well described and
justified in Exhibit 13. 53rd and 54th Street are constrained to the proposed locations
in order to extend the streets on the adjoining Lakeland Hills Estates plat to the north.

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Without the extension onto the subject subdivision, 53rd and 54th would dead end at a length that is not consistent with City standards. The extension, and hence location, of 53rd and 54th on the subject subdivision is necessary to provide secondary access to the lots on the southern end of Lakeland Hills, an obvious safety issue. As explained in Exhibit 13, the topography at these locations necessitates the requested grade deviations on portions of 54th street, which amount to maximum grades of 8.2%. As further explained in Exhibit 13, the proposed grades are consistent with recognized engineering safety standards. The reduced horizontal curve is necessary to allow a western connection between 53rd and 54th streets. Staff have conditioned the project to install traffic calming devices to assure that the curves are taken at a safe speed. As discussed in Exhibit 13, the reduced curvature is consistent with King County road design standards, which provides additional indicia of safety.

Staff state at page 9 of the staff report that Lots 13 and 15 cannot meet the minimum 80-foot width requirement of ACC 17.12.250 because the lot and street layout is physically constrained by slopes, street design standards, zoning standards, and density requirements. It is fairly clear from the topographical lines depicted in Sheet 3 of Exhibit 3 that the only way these lots could meeting the width requirements of ACC 17.12.250 is by the elimination of one of them or of Lot 14.

5. Characteristics of the Area. The subject property is surrounded by single-family homes, as well as vacant property, an elementary school, commercial buildings, and nearby apartment complexes.. There are also similar developments in the area; including those that have already been completed and those still in developments.

6. Adverse Impacts. There are no adverse impacts that have been identified in association with the proposal. Additionally, the proposal has undergone SEPA review and was issued a Mitigated Determination of Non-Significance (MDNS). The mitigation measures incorporated into the MDNS are included as conditions for approval of this application.

CONCLUSIONS OF LAW

Procedural:

1. Authority of Hearing Examiner. ACC 17.10.050 grants the Hearing Examiner with the authority to review an application for preliminary plat approval and give a recommendation to the City Council. ACC 17.18.010 grants the Hearing Examiner with the authority to approve modifications of standards referenced in Chapter 17.12 ACC. As identified in Finding of Fact No. 4, the applicant requests a deviation to ACC 13.16.090, ACC 17.12.050(D), and the City's design and construction standards. The City's design and construction standards are incorporated by reference in to Chapter 17.12.020 by ACC 17.12.020. ACC 13.16.090 does not appear to be identified anywhere in Chapter 17.12 ACC. Further, ACC 13.16.090 expressly provides that the fire department has the authority to waive

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1 the looping requirement. Given these circumstances, the Examiner concludes he has
2 no authority to grant waivers to ACC 13.16.090 and leaves that determination to the
3 fire department.

3 **Substantive:**

4 2. Zoning Designation. The property is vested to Single Family Residential
5 District, R-1. The Auburn Comprehensive Plan designation for the property is Single
6 Family Residential.

7 3. Review Criteria and Application. The application was determined to be
8 complete on April 3, 2007. It is important to note that the ACC has undergone
9 significant revision since that date. Reference must be made to the code in effect on
10 April 3, 2007 for applicable provisions. The criteria for preliminary plat and
11 deviation approval are satisfied as outlined below where each criterion is in italics
12 and the application to the project is applied in corresponding Conclusions of Law.

13 *ACC 17.06.070: Preliminary plats shall only be approved if findings of fact are
14 drawn to support the following:*

15 *ACC 17.06.070(A): Adequate provisions are made for the public health, safety and
16 general welfare and for open spaces, drainage ways, streets, alleys other public ways,
17 water supplies, sanitary wastes, parks, play grounds and sites for schools and school
18 grounds.*

19 4. As conditioned and as proposed by the applicant, the proposed plat map
20 sufficiently provides for all of the above criteria. Additionally, the proposal has been
21 reviewed by Valley Regional Fire Authority, and their recommendation that parking
22 be allowed on only one side of the street in order to provide emergency access has
23 been included in the conditions.

24 During the hearing the applicant raised objection to the timing of required
25 infrastructure improvements. The Examiner generally agrees with the staff position
on this issue, with revision to the recommended conditions of approval. As noted by
staff, the parcel is essentially landlocked with no adjoining utilities or streets. Rather
than make off-site improvements to connect into the City's street and utility system,
the applicant has apparently opted to wait for the completion of infrastructure
improvements in three adjoining subdivisions. Due to this reliance upon the work of
other development projects, the staff recommends that final plat approval for the
subject application be contingent upon completion of the conditions of preliminary
plat approval for the adjoining subdivisions.

The Examiner agrees that generally as a matter of constitutional due process, the
approval of a development project should not be entirely dependent upon the actions
of a third party. However, this is a situation of the applicant's own making. The
applicant wishes to avail himself of the work of third parties in order to meet the

1 infrastructure requirements for his own subdivision. Under these circumstances, it is
2 reasonable to require that those third-party improvements be completed prior to
3 acquiring final plat approval for the subject application. The applicant's utilities
4 cannot reasonably be construed as "adequate" according to the above-quoted criteria
5 if there is no assurance that the lines to which they connect to will be completed. The
6 staff recommended conditions of approval have been revised by the Examiner to
7 allow final plat approval if some mechanism is provided when improvements are not
8 completed, such as bonding by the applicant or the responsible parties for the
9 adjoining subdivisions.

10 The foregoing is based upon the presumption that the applicant is free to make off-
11 site improvements himself in lieu of relying upon the adjoining subdivisions, if such
12 an opportunity exists. The applicant can at any time apply for a plat alteration if that
13 is an option the applicant would like to pursue. Should the adjoining subdivisions
14 take an unusually long amount of time to complete as feared by the applicant, a plat
15 alteration is available to address the situation.

16 Although the Examiner generally agrees with the staff position on timing, revision
17 was needed to provide for more specificity. General Condition 1 in the staff report
18 requires completion of all adjoining conditions of preliminary plat approval as a
19 condition of final plat approval for the subject application. Even as revised in Exhibit
20 28, this is overly broad because the only rationale presented to the Examiner for this
21 condition is to provide for infrastructure connections. It is recognized that subsequent
22 more specific conditions provide more detail on the timing of improvements, but
23 General Condition No. 1 as written could be construed as prohibiting all work in
24 Forest Glen until all improvements in the adjoining subdivisions are completed, even
25 if those adjoining improvements have nothing to do with Forest Glen infrastructure.
The revised condition of approval more directly addresses basis of the condition, i.e.,
satisfying the adequacy criterion quoted above by ensuring that Forest Glen
infrastructure connects to adequate off-site infrastructure.

It is recognized that the applicant's objections to timing are not limited to what is
required for final plat approval. The applicant's suggested revisions to General
Condition 1 (Ex. 29) and Street Condition 7 also change the point where preliminary
plat construction can begin. Condition 7 does not allow any construction activity to
occur until the connecting streets on the adjoining subdivisions have been dedicated
and accepted by the City. The applicant proposes to divorce clearing and forest
practice activities from any work on the adjoining subdivision and proposes to
commence other infrastructure work as soon as adjoining connecting roads and other
infrastructure improvements are completed to the satisfaction of the City – short of
the dedication and acceptance of street improvements required by staff recommended
Condition 7.

The applicant makes a compelling argument that allowing road work to commence
prior to construction will expedite the provision of secondary access to the lots in
Lakeland Hills. This constitutes a public benefit associated with early construction.

1 City Engineer Welsh makes a more compelling point in that there is no assurance of
2 compliance with City design standards on the Lakeland Hills roads until they are
3 dedicated to and accepted by the City. The grade issues associated with 53rd St. and
4 54th St. and the intersection of these roads (apparently via Bennett Ave. S.E.) with
5 Evergreen Way require close City scrutiny. Safety is an issue before final plat
6 approval because vehicles engaged in Forest Glen preliminary plat construction
7 activities may access Forest Glen through Lakeland Hills. However, the staff report
8 at Page 12, paragraph H(2), notes that the subject parcel has an unimproved access
9 easement through Lakeland Hills to Kersey Way. If safety is the sole reason for the
10 acceptance and dedication requirement recommended by staff, then that reasoning
11 falls to the wayside if access of construction vehicles is safely acquired through the
12 applicant's access easement. Final plat approval and use of 53rd and 54th streets can
13 be prohibited until acceptance and dedication. Condition 7 is modified accordingly.

14 **ACC 17.06.070(B):** *Conformance of the proposed subdivision to the general*
15 *purposes of the comprehensive plan*

16 5. As discussed in depth in the staff report for the proposal and incorporated
17 in this conclusion by reference, the purposes of the comprehensive plan have been
18 met by this application. Specifically, the Comprehensive Plan emphasizes housing
19 development of single-family residences, in order to provide an appropriate mix of
20 housing within family oriented communities; while still recognizing the need housing
21 needs of all members of the community.

22 **ACC 17.06.070(C):** *Conformance of the proposed subdivision to the general*
23 *purposes of any other applicable policies or plans which have been adopted by the*
24 *city council*

25 6. The proposed subdivision conforms generally to other applicable policies
and plans of the City. Evaluation of specifically applicable provisions of the code
have been provided below. Additionally, the staff report provides an overview of the
proposal's compliance with the ACC and other plans generally, which is incorporated
in this decision by reference.

ACC 17.06.070(D): *Conformance of the proposed subdivision to the general*
purposes of this title as enumerated in ACC 17.02.030

7. Much like the provisions of the comprehensive plan generally, ACC
17.02.030 addresses the betterment of the City as a requirement of development. This
includes appropriate use of the land, protection of land and water, convenient travel,
provisions for utilities, and provisions for schools. As provided, the application
promotes all of the established standards of the section and will result in a project that
will provide single-family housing.

ACC 17.06.070(E): *Conformance of the proposed subdivision to the Auburn zoning*
ordinance and any other applicable planning or engineering standards and

1 *specifications as adopted by the city or as modified and approved as part of a PUD*
2 *pursuant to Chapter 18.69 ACC*

3 8. The proposal conforms with all applicable zoning requirements, except for
4 the corner lot width requirement, which is addressed as a modification below.

5 **ACC 17.06.070(F):** *The potential environmental impacts of the proposed subdivision*
6 *are mitigated such that the preliminary plat will not have an unacceptable adverse*
7 *effect upon the quality of the environment*

8 9. The project was issued a SEPA MDNS, which included a mitigation list
9 which has been incorporated into the conditions of approval for this application. The
10 MDNS takes into full consideration any potential adverse impacts on the environment
11 which the project could have and makes a determination on such basis. The project,
12 with conditioned mitigation, will not have unacceptable adverse effects upon the
13 quality of the environment.

14 **ACC 17.06.070(G):** *Adequate provisions are made so the preliminary plat will*
15 *prevent or abate public nuisances*

16 10. The planning and layout of the plat have sufficiently addressed prevention
17 and abatement of public nuisances, and do not appear to be of consequence.

18 **DEVIATIONS**

19 **ACC 17.18.030(A):** *Such modification is necessary because of special circumstances*
20 *related to the size shape topography location or surroundings of the subject property*
21 *to provide the owner with development rights and privileges permitted to other*
22 *properties in the vicinity and in the zoning district in which the subject property is*
23 *located.*

24 11. The four deviation requests are identified and described in Finding of Fact
25 No. 4. As determined in Conclusion of Law No. 1, the Examiner only has authority
to make a decision on three of the deviation requests. Those three requests will be
assessed against the deviation criteria quoted under this section of the Examiner's
decision.

ACC 17.12.250(D): *As determined in Finding of Fact No. 4, the requested*
modification is necessary due to the slopes of the property. If the deviation is not
granted, the applicant will have to lose a lot, leaving the applicant with a density
yield much lower than that granted to other properties in the vicinity and zoning
district.

12. Design and Construction Standards: As determined in Finding of Fact No.
4, the grade deviations are necessary due to the topography of the parcel and the need
to provide secondary access to the subject lot and Lakeland Hills. The reduced

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1 horizontal curve is necessary to enable connection of the two secondary access roads,
2 which in turn is the only feasible way to provide secondary access to the subject
3 parcel and Lakeland Hills. The surrounding road network, topography and shape of
the lot working together constitute special circumstances due to topography, location
and surroundings that necessitate the requested modifications.

4 **ACC 17.18.030(B):** *That because of such special circumstances the development of*
5 *the property in strict conformity with the provision of this title will not allow a*
reasonable and harmonious use of the property.

6 13. ACC 17.12.250(D): Given (1) the relatively minor nature of the deviation
7 request; (2) the fact that the lot width is consistent with current zoning standards,
8 which is essentially a legislative determination that the proposed width is consistent
9 with the Comprehensive Plan and the purpose of the Zoning Code; (3) the policies
favoring in-fill development; and (4) the loss of density if the modification is not
granted, denial of the modification would prevent a reasonable use of the property.

10 14. Design and Construction Standards: Denial of the modification would
11 prevent a reasonable use of the property by eliminating secondary access, which is
12 necessary as for safety and convenience.

13 **ACC 17.18.030(C):** *That the modification if granted will not alter the character of*
14 *the neighborhood or be detrimental to surrounding properties in which the property*
is located

15 15. The requested modifications will have no recognizable effect on the
16 character of the neighborhood and will not be detrimental to surrounding properties.
17 As noted in Finding of Fact No. 4, the road curve and grade deviations satisfy
recognized professional engineering safety standards, and the curve deviation has
been conditioned to include traffic calming devices to ensure safe speeds.

18 **ACC 17.18.030(D):** *Such modification will not be materially detrimental to the*
19 *implementation of the policies and objectives of the comprehensive land use*
20 *circulation and utility plans of the city*

21 16. The modification will not impact the implementation of the policies of the
22 City. As noted previously, the proposed lot width is consistent with current lot width
23 standards and those standards have presumptively been found to be consistent with
24 the Comprehensive Plan by the Auburn City Council. A difference of five feet in lot
25 width should have no discernable impact on applicable policies and plans. As also
previously discussed, the deviations to road grade and curve radius are safe as
mitigated and will not detract from residential character. For these reasons, the
criterion above is satisfied.

1 **ACC 17.18.030(E):** *Literal interpretation of the provisions of this title would deprive*
2 *the applicant of rights commonly enjoyed by other properties in the same zoning*
3 *district.*

4 17. Without this modification, the applicant would be unable to develop at
5 densities allowed for surrounding development and the applicant would not be able to
6 connect to adjoining streets for secondary access. These are rights enjoyed by other
7 properties in the same zoning district.

8 **ACC 17.18.030(F):** *The approval of the modification will be consistent with the*
9 *purpose of this title*

10 18. The approvals of the modifications are consistent with the purpose of the
11 subdivision code as detailed in ACC 17.02.030 because they provide for safety in
12 access and the effective use of land through maximizing density.

13 **ACC 17.18.030(G):** *The modification cannot lessen the requirements of the zoning*
14 *ordinance.*

15 19. The modifications do not violate any Zoning Ordinance provisions.

16 **DECISION/RECOMMENDATION**

17 The Hearing Examiner approves the requested modifications to ACC 17.12.250(D),
18 Design Standards Section 10.02.1 Table 10-1 (6% grade) and Design Standards
19 Section 10.02.1 Table 10-1 (375 foot horizontal curve radius).

20 The Hearing Examiner has no jurisdiction to rule upon the deviation from ACC
21 13.16.090.

22 The Hearing Examiner recommends approval of PLT06-0008, subject to the
23 following conditions completed prior to final plat approval:

24 **GENERAL**

25 1. Adequacy of infrastructure to the proposed subdivision is dependent upon
completion of infrastructure improvements upon three adjoining subdivisions that
are between preliminary and final plat approval. The adjoining subdivisions are
identified by preliminary plat approval as follows: Resolution 4021 for Kersey 3
Div. 1 (PLT05-0001), Resolution 4024 for The Ridge At Bowman Creek (PLT05-
0002), and Resolution 4116 for Lakeland Hills Estates (PLT05-0004). The
subject application shall not be granted final plat approval until the earlier of (1)
final plat approval of all three of the adjoining subdivisions; or (2) a staff
determination that all connecting infrastructure on the adjoining subdivisions has
been completed and accepted (to the extent acceptance is required) by the City, or
an alternative to completion and acceptance is provided that ensures adequate

1 infrastructure to the satisfaction of staff. The staff determinations for Option (2)
2 shall be made in conjunction with the review of a request for final plat approval.

- 3 2. Plat boundary discrepancies as may arise shall be resolved to the satisfaction of
4 the City engineer prior to the submittal of the final plat documents. As used in
5 this condition, "discrepancy" is a boundary hiatus, an overlapping boundary or a
6 physical appurtenance which indicates an encroachment, lines of possession or a
7 conflict of title. RCW 58.17.
- 8 3. A homeowners' association shall be established which clearly provides for the
9 ownership and continued maintenance of Open Space Tract B, Wetland/Critical
10 Area Tract C, and Maintenance of landscaping within the Utilities and Drainage
11 Pond/Tract A.
- 12 4. Nothing in these conditions shall preclude completion of infrastructure
13 improvements by others. Should required off-site improvements be completed by
14 others, the applicant will be responsible for paying any required pro rata share of
15 the costs as may be established and approved by the City, ACC 13.40.060.

16 ROADS

- 17 5. Road facilities shall be provided consistent with the City of Auburn Design
18 Standards and the conceptual road system design layout per Exhibit 3 . To
19 provide road access to the existing external road network substantial new
20 infrastructure improvements are required including the completion and acceptance
21 of the road infrastructure required to serve the Kersey 3 Division 1A, The Ridge
22 At Bowman Creek, and Lakeland Hills Estates developments.
- 23 Final acceptance of these streets by the City will also require construction and
24 acceptance of all supporting and related infrastructure, such as storm water
25 facilities to collect storm runoff from streets.
- 26 6. The applicant shall construct all street improvements in compliance with Auburn
27 Design Standards, with the exception of the two deviations from maximum
28 vertical curve radius on the transition between Udall St. SE and 53rd St SE. and
29 from maximum vertical grade on 54th Street SE., as shown on the approved
30 preliminary plat if those deviation requests are supported by the City Council.
- 31 7. Construction activities within the plat shall not commence until the connecting
streets have been constructed, dedicated, and accepted by the City, PROVIDED,
that if the applicant has access for construction vehicles that staff determines is
safe and meets City standards, the applicant may proceed with construction of
infrastructure to the extent that corresponding road grades, water, sewer, power,
cable, and gas utility extensions on adjoining lots have been completed to the
satisfaction of staff.

1 8. Where retaining walls are used adjacent to public roads or within a public facility,
2 the applicant shall provide either mechanically stabilized earth or cement concrete
retaining walls, as determined as necessary and approved by the City Engineer.

3 9. The applicant shall design and construct traffic calming circles on 53rd St. SE and
4 54th St. SE as shown on the preliminary plat.

5 10. Internal plat streets and utilities shall be extended to the adjoining property (west)
6 as depicted on the preliminary plat.

7 SEWER

8 11. Sanitary sewer facilities shall be provided, constructed and accepted consistent
9 with the City of Auburn Design Standards and the conceptual sanitary sewer
10 system design layout. The applicant will connect the gravity sewer system to the
south end of the gravity sewer planned to be constructed as part of the Lakeland
Hills Estates and the Kersey 3 Division 1A developments. .

11 12. The applicant shall grant the City additional easement area on Lot 9 to provide a
12 combined width of 30 feet across Tract A and Lot 9 as shown on the preliminary
plat maps.

13 WATER

14 13. Water facilities shall be provided consistent with the City of Auburn Design
15 Standards and the conceptual water system design layout per the preliminary plat
16 Exhibit 3. To provide adequate water storage and distribution for both domestic
17 water and fire flow, substantial new infrastructure improvements are required
18 including the completion and acceptance of the water infrastructure required to
serve the Kersey 3 Division 1A, the Ridge At Bowman Creek, and Lakeland Hills
Estates developments.

19 14. A deviation from the Design Standards is allowed, permitting construction of a
20 dead-end main at the terminus of Victoria Ave SE, if supported by the City
Council. Fire hydrant location shall be approved by VRFA and City Engineer.

21 15. A restriction shall be placed on the final plat stating: "The lowest floor elevation,
22 whether basement or first floor, for residential structures built on Lots 7 through
23 12 is at or above elevation 352, in order to avoid high water pressure which would
require the installation of individual pressure reducing valves."

24 GRADING, FILL AND STORM DRAINAGE

25 16. The geotechnical report and addendum report includes recommendations which in
part address foundations of homes on fill on Lots 7-10. The placement of
structural fill will require special inspection and completion of the City's special

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inspection forms. Lots 7-10 may require an engineered foundation design for footing placed on structural fill. If determined to be necessary at the time of plat engineering approval, a note shall be included on the face of the plat stating the restriction.

17. Storm drainage facilities shall incorporate high standards of design to enhance the appearance of the site and serve as an amenity. The design of above ground storage and conveyance facilities shall incorporate landscaping utilizing native vegetation, minimal side slopes, safety, maintenance needs, and function. Prior to engineering approval and construction, a landscaping plan with applicable cross-sections shall be provided to demonstrate that storm drainage pond aesthetic requirements consistent with City standards can be accommodated on-site.
18. All storm drainage conveyance lines required to manage upstream bypass surface flows shall be routed through the project site and shall not be combined with the proposed on-site storm drainage system.
19. The HOA shall maintain those portions of the Public Utilities and Detention Tract A located outside the fenced pond boundary, or if no fence is provided, outside the 10-year storm water surface elevation, as determined by the City Engineer.
20. Given the steep slopes found on the site, appropriately designed energy dissipation features are required at the end of long runs of pipe, at pipe intersections and at the inlet/outlet to the storm drainage pond.
21. Storm drainage facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual storm drainage system design layout per (Exhibit 3). In order to achieve this, the following design elements shall be incorporated into the proposed design:
 - Construct a 3' wide berm and security fence @ the 10-year water surface elevation.
 - Maintenance is required along the length of the bioswale.
 - Geotechnical engineering recommendations.
 - Install bollards at the pond access road.
 - Meet minimum access turning radius requirements at all vehicular accessible areas.
22. All residential downspout connections and footing drains shall be tightlined to the nearest public drainage system and be placed within private drainage easements.
23. Prior to issuance of clearing or grading permits, a grading plan for grading and clearing necessary for both the construction of infrastructure such as roads and utilities and for lot grading shall be prepared, submitted and approved by the City of Auburn. The purpose of the plan is to accomplish the maximum amount of grading at one time to limit or avoid the need for subsequent grading and disturbance, including grading of individual lots during home construction. The

1 plan shall identify the surveyed boundary of the crest slopes for the site's 40% or
2 greater slopes. This plan shall show quantities and locations of excavations, and
3 embankments, the design of temporary storm drainage detention system, and
4 methods of preventing drainage, erosion and sedimentation from impacting
5 adjacent properties, natural and public storm drainage systems and other nearby
6 sensitive areas. Temporary detention facilities shall be designed with a 1.5 safety
7 factor applied to the post-developed calculated pond design volume for the 25-
8 year 24-hour post developed storm event. All the measures shall be implemented
9 prior to beginning phased on-site filling, grading or construction activities. The
10 applicant's grading plans shall be prepared in conjunction with and reviewed by a
11 licensed geotechnical engineer. The geotechnical engineer shall develop and
12 submit, for the City's review, specific recommendations to mitigate grading
13 activities with particular attention to developing a plan to minimize the extent and
14 time soils are exposed on site and address grading and related activities during
15 wet weather periods (the period of greatest concern is October 1 through March
16 31). The plans shall show the type and the extent of geologic hazard area or any
17 other critical areas as required in Chapters 16, and 18 of the International Building
18 Code (IBC). (Policy EN-69, EN-70, ACP) and/or the City's Critical Areas
19 Ordinance. Also see SEPA Mitigations and Wetland conditions below,
20 Conditions 29-33 and 36-37.

21
22 24. Upon completion of rough grading and excavation, the applicant shall have a geo-
23 technical engineer re-analyze the site and determine if new or additional
24 mitigation measures are necessary. A revised geotechnical report shall be
25 submitted to the City of Auburn for review and approval by the City Engineer.
Recommendations for areas where subsurface water is known or discovered shall
be given particular attention by the geotechnical engineer and coordinated with
the project engineer responsible for the storm drainage system design.

26
27 25. Any discharge of sediment laden runoff or other pollutant to waters of the state is
28 in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A,
29 Water Quality Standards for Surface Waters of the State of Washington. All
30 releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents,
31 and other deleterious materials during construction must be contained and
32 removed in a manner that will prevent their discharge to waters and soils of the
33 state. The cleanup of spills should take precedence over other work on the site.

34
35 26. Prior to commencing site clearing or grading activities, the applicant shall submit
a proposed dust control plan for review and approval. This plan shall show
methods of preventing dust from impacting adjacent properties, natural and public
storm drainage systems, and right-of-ways. Control measures shall be
implemented prior to the beginning and in conjunction with on-site clearing,
filling, grading or other construction activities.

27. Truck Route -Prior to issuance of grading or other construction permits, the
applicant shall submit a haul route plan explaining: roads to be traveled on, type

of material to be hauled, total quantity of material to be hauled, total number of expected days of the haul, expected daily start and end time of the haul, total number of trips, total number of expected trips per day estimated start and completion date. A traffic control plan shall be submitted showing intended methods and placement of traffic control and clearly showing the site entrance used for hauling. Based on the haul route plan, the City Engineer may condition hauling operations to mitigate impacts to streets. Such measures may include road repair or reconstruction, limitations to days and times of the haul, and installation of traffic control measures.

WETLANDS

28. The Category 4 Wetland and associated 25 foot wide buffer shall be preserved in a separate critical areas tract, and shown as the final plat. Final plat notes shall be recorded and include the following statement:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND BUFFERS

Restrictions of a Critical Area Tract/ Critical Area and Buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The Critical Area Tract/ Critical Area and Buffer imposes upon all present and future owners and occupiers of the land subject to the Critical Area Tract/ Critical Area and Buffer the obligation, enforceable on behalf of the public by the City of Auburn, to leave undisturbed all trees and other vegetation within the Critical Area Tract/ Critical Area and Buffer. The vegetation within the Critical Area Tract/ Critical Area and Buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City of Auburn, Department of Planning, Building and Community, unless otherwise provided by law.

The common boundary between the Critical Area Tract/ Critical Area and Buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of the City of Auburn prior to any clearing, grading, building construction or other development activity subject to the Critical Area Tract/ Critical Area and Buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the Critical Area and Buffer are completed.

No building foundations or other structures are allowed to be located within the Critical Area and Buffer, nor shall any foundations or structures be located adjacent to the Critical Area and Buffer such that normal maintenance of buildings or structures would result in intrusion of the Critical Area and Buffer

1 29. A wetland hydrology analysis shall be prepared by a qualified professional to
2 assess whether or not the proposed storm drainage control system will result in a
3 no net loss of wetland hydrology, function and value. The wetland shall be
4 monitored over a 3 year period to determine if a net loss in wetland hydrology,
functions, and/or values has resulted. A monitoring schedule and contingency
plan for the wetland shall be submitted for review and approval by the Planning
Director prior to the commencement of any construction activities.

5 30. Temporary Wetland Markers. The outer perimeter of the critical area buffer and
6 the limits of those areas to be disturbed shall be marked in the field in such a way
7 as to ensure that no unauthorized intrusion will occur, and verified by PB&C
8 Department prior to the commencement of authorized activities. This temporary
marking shall be maintained throughout construction, and shall not be removed
until permanent signs are in place.

9 31. Permanent Wetland Signs. The applicant shall install permanent signs along the
10 boundary of Wetland/Critical Area and Buffer Tract C. Permanent signs shall be
11 made of a metal face and attached to a metal post, anchored, or other materials of
12 equal durability approved by PB&C. Signs must be posted at an interval of one
per every 50 feet, and must be maintained by the homeowner association in
perpetuity.

13 32. Fencing: A permanent split rail fence shall be installed at the edge of the wetland
14 buffer to discourage human activities within the buffer area. Fence design,
15 including dimensions and materials shall be approved by the Director of Planning,
Building & Community.

16 LOT DIMENSIONS

17 33. A modification from ACC 17.12.250 is allowed, permitting a 75' width for the
18 two corner lots on Udall Ave SE, if supported by the City Council. All other
19 dimensions shall comply with the vested R-1 zone.

20 HISTORIC

21 34. Site disturbing activities should be monitored by the Applicant to determine the
22 presence, if any, of archaeological resources within the proposed subdivision site
23 boundaries. Evidence of the presence of archaeological resources shall be
24 promptly reported to the City of Auburn.
25

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1 SEPA


2 35. To assure slope stability at the time of site development, geotechnical engineering
3 is necessary. The applicant shall comply with the recommendations contained in
4 the Geotechnical Engineering Study dated March 30, 2007 and Addendum dated
5 April 4, 2008, prepared by Geotech Consultants, Inc.; policy mandates of the
6 Auburn Comprehensive Plan; and Critical Areas Chapter, ACC 16.10 by having a
7 licensed geotechnical engineer sign and stamp civil plans for site development
8 permits (including, but not limited to grading, facility extension and building
9 permits for retaining walls).

10 All other recommendations contained in the Geotechnical Engineering Study shall
11 be made conditions of project/permit approvals for plat development. For
12 example, a qualified geotechnical representative shall be present during the site
13 clearing and grading; and a qualified geotechnical representative shall conduct
14 frequent density tests as structural fill is being placed and compacted.

15 36. To mitigate for aesthetic and wildlife impacts and support slope stability, due to
16 the removal of significant trees and creation of steep slopes, a revegetation plan
17 shall be prepared meeting the minimum "Best Management Practices" per
18 Washington State Department of Ecology guidance for planting native vegetation
19 on steep slopes. The plan shall be prepared by a plant biologist (or other
20 professional with equivalent degree) and geotechnical engineer.

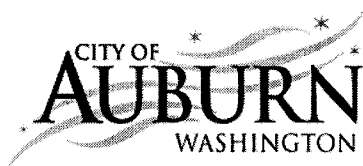
21 Final revegetation of slopes graded to 40% (2.5:1 ratio) or greater shall conform
22 to the revegetation plan. Planting shall be completed prior to final plat approval.
23 A financial guarantee shall be posted for three years to assure maintenance,
24 survival and replacement of vegetation.

25 Dated this 4th day of January 2010.


Phil Olbrechts
City of Auburn Hearing Examiner

**LEGAL DESCRIPTION
FOREST GLEN AT LAKELAND PRELIMINARY PLAT**

LOTS 2 AND 3 OF CITY OF AUBURN SHORT PLAT NO. SP-8-78 REVISION,
RECORDED UNDER RECORDING NO. 8003110673, SAID SHORT PLAT
BEING A SUBDIVISION OF A NORTHEASTERLY PORTION OF THE
SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 5
EAST OF THE WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON



AGENDA BILL APPROVAL FORM

Agenda Subject: Public Hearing for the Preliminary Plat of Forest Glen at Lakeland, Application No. PLT06-0008		Date: December 7, 2009		
Department: Planning, Building, and Community	Attachments: See Exhibit List	Budget Impact: N/A		
Administrative Recommendation: Hearing Examiner to recommend to the City Council approval of the preliminary plat, based upon the Findings of facts, Conclusions and Conditions as outlined in this report.				
Background Summary:				
APPLICATION NAME:	Forest Glen at Lakeland			
OWNER/APPLICANT:	Roger B. Gillette, et al, 30527 124 th St. SE, Auburn, WA 98092			
ENGINEER:	Mr. Dave Dormier, P.E., Rupert Engineering, Inc. 1519 West Valley Highway North, Suite 101, Auburn, WA 98001 Phone: 253-833-7776			
REQUEST:	Subdivide approximately 10 acres into 30 single family residential lots. Proposal also includes public roads, sanitary sewers, water mains, storm drainage facilities and a separate wetland tract.			
LOCATION:	The property is located north of the future extension of Evergreen Way SE and 700 feet southwest of the intersection of Kersey Way SE. and 50 th St. SE (if extended). The property is also north and west of the plat of The Ridge at Bowman Creek. King County Parcels: 3221059041 & 3221058040			
ZONING:	Vested to Single Family Residential District, R-1 (Current Zoning - Residential, 5 Dwelling Units per Acre / R-5)			
EXISTING LAND USE:	Vacant			
COMPREHENSIVE PLAN DESIGNATION:	Single Family Residential			
SEPA STATUS:	Mitigated Determination of Nonsignificance (MDNS) issued on 10/30/2009. The SEPA Appeal Period ended 12/04/2009.			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input checked="" type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </td> <td style="width: 50%; vertical-align: top;"> Reviewed by Departments & Divisions: <input checked="" type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Fire <input type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </td> </tr> </table>			Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input checked="" type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____	Reviewed by Departments & Divisions: <input checked="" type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Fire <input type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources
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Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____ <div style="text-align: right;">Call for Public Hearing ____/____/____</div>				
Councilmember: Norman		Staff: Karen Scharer		
Meeting Date: December 16, 2009		Item Number:		

FACTS and FINDINGS:

A. PROPOSED ACTION:

This is a request for a subdivision of 10 acres into 30 lots for detached single-family dwellings. The proposed gross density is 3.1 dwelling units per acre. Lots will range in size from 8,000 s.f. to 12,878 s.f., and the average lot size will be 8,712 s.f. (.20 acres). All lots will have a width of 75 feet or greater. A request has been made for a modification to allow two 75 foot wide corner lots within the plat. These lots are required to be platted at least five feet wider than required by the zoning pursuant to ACC 17.12.250 unless a modification from the standard is granted.

The site area will be committed to the following uses:

30 lots	6.03 acres
Storm Detention Tract A	1.32 acres
Open Space Tract B	0.38 acres.
Critical Area/Wetland Tract C.	0.41 acres
Streets	1.86 acres

Access is intended to be provided from future local residential streets connecting to Kersey Way SE and the extension of Evergreen Way SE currently under construction. Streets will be dedicated to the City and improved with curbs, gutters, sidewalks, lighting and landscaping. Two road deviations are requested for the street design:

1. A deviation from Design Standards Section 10.02.1 Table 10-1 for the minimum horizontal curve radius of 375 feet. The applicant has requested this deviation to create a 100 foot horizontal curve radius on the transition between Udall St. SE and 53rd St SE.
2. A deviation from Design Standards Section 10.02.1 Table 10-1 for the maximum vertical grade of 6 percent. The applicant has requested a deviation to create a vertical grade of up to 8 percent on a portion of 54th Street SE.

Public sewer, water, storm drainage, and other utilities are proposed. Specifically, a deviation from Auburn City Code (ACC) 13.16.090 is requested. This standard requires a looped water main design serving the six lots at the cul-de-sac end of Victoria Ave. SE. The applicant proposes to construct a water main which will dead end at the cul-de-sac serving these lots.

See Attachment B for a reduced copy of the proposed plat map.

B. HISTORY/BACKGROUND:

1. City Staff from the Building, Planning & Community, Public Works and Parks departments and staff from Valley Regional Fire Authority reviewed the application submittals and conducted multiple on-site examinations of the subject property. Staff has discussed the proposed development with the applicant to clarify technical details of the application, and to determine the compatibility of this project with applicable City of Auburn plans, codes, and other official documents regulating this development.

As a result of these discussions, the applicant presented a number of revisions with the most recent plat map revision on 10/25/2009. The modifications from the initial submittal include:

- Reduction in the number of lots from 37 down to 30,
- Addition of Open Space Tract B,
- Reconfiguration of internal streets per City staff recommendations by connecting 53rd St. SE to 54th St. SE with proposed Udall St. SE.,
- Request for deviation from street standards for slope percentage above 6% and radius curves,
- Revised detention configuration and increased tract size from .50 acres to 1.32 acres,
- Elimination of a 30 foot high wall on the south side of the property and replacing with a 2:1 slope.
- Overall reduction of road grades within the plat and particularly near the west property boundary (originally 7.5% and now 3.4% grade proposed) to better accommodate extending this road to the west for future development, and
- Addition of two traffic calming circles.

2. Other Development Applications Nearby:

- a. Kersey 3 Divisions 1A (Plat Files PLT05-0001 and PLT09-0006) and The Ridge At Bowman Creek (Plat Files PLT05-0002 and PLT09-0005) are plats which were recently recorded in October 2009, approved under Ordinances 6271 and 6370 respectively. These plats are adjacent to Lakeland Hills Estates and nearby Forest Glen at Lakeland. The Applicant intends that road improvements associated with these plats will provide access connections and substantial improvements to both Evergreen Way SE, a residential collector, Kersey Way SE., a minor arterial and other residential streets connecting to Lakeland Hills Estates and ultimately Forest Glen at Lakeland. Until final construction of infrastructure under issued FAC's is completed and accepted by the City for Kersey 3-1A and Bowman Creek, public access and utility connections through these two plats are unavailable.

To provide adequate water storage and distribution for both domestic water and fire flow to Kersey 3 Division 1 and The Ridge at Bowman Creek, construction of a water booster station, extension of water mains and associated infrastructure was required (See Resolutions 4021 and 4024 respectively, and see Attachment A to each ordinance, Hearing Exhibits 24, 25, and 26). Until final construction of this water system infrastructure is completed and accepted by the City, water to two plats is unavailable.

- b. Lakeland Hills Estates, a preliminary plat adjoining Forest Glen at Lakeland to the north and east (File PLT05-0004), has received preliminary approval by the City Council under Resolution 4116. Lakeland Hills Estates was granted preliminary approval in 2006 subject to the completion of infrastructure for roads and utilities both on and off-site which are needed to support the plat. The Evergreen Way SE and Kersey Way SE road improvements; and, water and sewer improvements are the largest of the infrastructure requirements that must be completed and accepted by the City prior to roads and services being available to Lakeland Hills Estates. To date, permits for grading and facility extension agreements have not been issued.

The south 19 lots of Lakeland Hills Estates will gain access through The Ridge at Bowman Creek and Kersey 3 Divisions 1A onto Evergreen Way SE and then connecting to Kersey Way SE. Prior to construction activities within the southern portion of Lakeland Hills Estates, streets within Kersey 3 Division 1 are required to be constructed and accepted by the City (Plat Condition 4).

The northerly 51 lots of the plat will directly gain access onto Kersey Way SE. Conditions of approval required a number of road improvements to assure minimum sight distance standards for entering right turn traffic and left-turn entering and exiting traffic to Kersey Way SE (Conditions 7 - 10). Widening for turn lanes were determined to be required to complete improvements noted above.

The applicant of Lakeland Hills Estates was given the option in Plat Condition 3 to complete the Kersey water booster pump station and other waterline improvements as identified in the 2001 Comprehensive Plan, or alternatively the applicant could choose to:

- 1) Construct a booster pump facility located along East Valley Highway (EVH) near 8th E.,
- 2) A 16 inch pipeline extending from the 12 inch line south of Kersey way to 8th St E (approx. 3000 feet). within Kersey Way SE, and,
- 3) A 12 inch pipeline within Elizabeth Ave SE extending from the existing stub in Elizabeth Ave SE (north of 58th Pl. SE) to the northern entrance to Elizabeth Loop Se (approx. 800 linear feet).

A number of other plat conditions were also required and are contained in Resolution 4116 related to roads, haul routes, school bus stops, landscaping, sewers, storm drainage, grading, critical areas, fencing, parks and creation of a Homeowner Association. See Exhibit 22.

- c. Park Ridge is the name of an Application for a Development Agreement (DA) filed with the City under the provisions of ACC14.21. This property is located immediately to the west of Forest Glen at Lakeland. The application is currently in review by staff prior to Council Committee review and City Council taking action on the (DA). As proposed under Forest Glen at Lakeland 54th St SE will stub at the west property line. This will facilitate future extension of this street and neighborhood circulation with the future potential development of Park Ridge.

C. SEPA THRESHOLD DETERMINATION

Pursuant to the State Environmental Policy Act (SEPA) and City of Auburn Environmental Regulations, as codified in Auburn City Code (ACC) Title 16-Environmental Protection, the SEPA Responsible Official reviewed this project and issued a Mitigated Determination of Nonsignificance (MDNS) on 10/30/2009. No comments have been received to date. The SEPA Appeal Period ended 12/04/2009 with no appeals filed.

The following mitigation measures under the issued MDNS are required under the SEPA Threshold Determination to be attached conditions of plat approval. These mitigation measures were determined to be consistent with policies, plans, rules, regulations designated by the Auburn City Code (ACC) and State Department of Ecology (DOE) guidelines:

1. To assure slope stability at the time of site development, geotechnical engineering is necessary. The applicant shall comply with the recommendations contained in the Geotechnical Engineering Study dated March 30, 2007 and Addendum dated April 4, 2008, prepared by Geotech Consultants, Inc.; policy mandates of the Auburn Comprehensive Plan; and Critical Areas Chapter, ACC 16.10 by having a licensed geotechnical engineer sign and stamp civil plans for site development permits (including, but not limited to grading, facility extension and building permits for retaining walls).

All other recommendations contained in the Geotechnical Engineering Study shall be made conditions of project/permit approvals for plat development. For example, a qualified geotechnical representative shall be present during the site clearing and grading; and a qualified geotechnical representative shall conduct frequent density tests as structural fill is being placed and compacted.

2. To mitigate for aesthetic and wildlife impacts and support slope stability, due to the removal of significant trees and creation of steep slopes, a revegetation plan shall be prepared meeting the minimum "Best Management Practices" per Washington State Department of Ecology guidance for planting native vegetation on steep slopes. The plan shall be prepared by a plant biologist (or other professional with equivalent degree) and geotechnical engineer.

Final revegetation of slopes graded to 40% (2.5:1 ratio) or greater shall conform to the revegetation plan. Planting shall be completed prior to final plat approval. A financial guarantee shall be posted for three years to assure maintenance, survival and replacement of vegetation.

D. COMMENTS FROM OTHER AGENCIES

The following is a partial list of agencies which were notified of the project as part of the Notice of Application, SEPA, and Notice of Hearing. All comments received are noted below:

- | | | |
|----|--|---|
| 1. | Auburn School District. | No Comment |
| 2. | Muckleshoot Indian Tribe Fisheries Division | No Comment |
| 3. | Muckleshoot Indian Tribe Cultural Division | No Comment |
| 4. | Pierce County Dept. of Planning and Land Services. | No Comment |
| 5. | U.S. Army Corp of Engineers "The project may require authorization from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act, if there is the discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into waters of the United States, including wetlands, streams, and navigable waters of the U.S. Please advise the applicant that, depending on the proposed work, a Department of the Army permit may be required." | |
| 6. | Valley Regional Fire Authority | Comments are incorporated into this report. |
| 7. | Washington State Department of Ecology. | No Comment |

8. Washington State Department of Fish and Wildlife No Comment
9. Washington State Department of Archaeology No Comment / See Exhibit 27 for related comments for the Park Ridge (Kersey 3) property to the west.
10. Washington State Department of Natural Resources. No Comment

E. PUBLIC COMMENT ON APPLICATION

Staff received general inquiries about the project from nearby property owners but has not received any correspondence or comments.

F. APPLICABLE COMPREHENSIVE PLAN and ZONING:

1. Vesting of the Plat Application: This application was submitted on Nov. 13, 2006 and was determined to be complete on April 3, 2007. Under the Revised Code of Washington (RCW) 58.17.033 the preliminary plat application is vested to those zoning or other land use control ordinances in effect at the time application for preliminary subdivision was determined complete. In this case the zoning in effect at the time of complete application is the R-1 (Single Family Residential) which predates the current zoning in effect as of June 15, 2009. The 2006 Comprehensive Plan and Policies are also applicable to this application (Ord. 6067, adopted 12/20/2006).

2. The table below includes both the Comprehensive Plan designation and Zoning classification of the site and surrounding properties:

	Comprehensive Plan Designation	Zoning	Land Use
Site	Single Family Residential	Vested Zone/Single Family Residential R-1 (Current Zoning -Residential, 5 Dwelling Units per Acre - R-5)	Vacant
North	Single Family Residential	Plat vested to R-1 Zoning (Current Zoning -Residential, 5 D.U's per Acre -R-5)	Vacant Preliminary Plat of Lakeland Hills Estates PLT05-0004
South	Single Family Residential	PUD (The Ridge at Bowman Creek)	Vacant / Road Construction The Recorded Plat of The Ridge at Bowman Creek PLT09-0005
East	Single Family Residential	Plat vested to R-1 Zoning (Current Zoning -Residential, 5 D.U's per Acre -R-5)	Vacant Preliminary Plat of Lakeland Hills Estates PLT05-0004
West	Single Family Residential	Residential 5 Dwelling Units per Acre -R-5	Vacant Application filed for Development Agreement MIS08-0017/Park Ridge

See Attached Map

3. Auburn Comprehensive Plan Land Use Map:
The applicable 2006 Comprehensive Land Use Map depicts the future land uses for the City of Auburn. The property is designation of Single Family Residential (typically 4-6 dwellings per acre).
4. Auburn Comprehensive Plan (CP) Land Use Goal 7: - *Residential Development:*
To emphasize housing development at single family densities, in order to reestablish a mix of housing types appropriate for a family oriented community, while recognizing the need and desire for both lower density and higher density housing appropriately located to meet the housing needs of all members of the community.
5. CP Objective 7.1 *To establish a system of residential densities that accommodate a range of housing choices appropriate for the city.*

CP Policy LU-14: *Residential densities in areas designated for single family residential use should be no greater than 6 units per acre. These areas should be served with good transit availability (1/4 mile or less to a route with at least half hour service). Accessory dwelling units should be permitted to allow increased densities. The bulk of the single family residential community should be developed at a density of between 4 and 6 dwelling units per acre. (Renumbered in 2008 to Policy LU-17)*

Comment: The gross density of this plat is 3.1 dwelling units per acre. The estimated net density of the plat is 3.8 dwellings per acre.

6. CP Objective 7.3: *To promote the development of quality single family neighborhoods which relate the design and types of residential areas to important natural and manmade features.*

CP Policy LU-23: *Emphasis shall be placed upon the manner in which the recreational needs of the residents shall be met in the approval of any residential development. (Renumbered in 2008 to Policy LU-26)*

Comment: The impact fee for parks will be triggered for a dwelling at the time of issuance of a building permit. The fee rate will be the rate applicable at the time of permit issuance (Ord. 6063, adopted in 2006)

CP Policy EN-69 *The City shall seek to ensure that land not be developed or otherwise modified in a manner which will result in or significantly increase the potential for slope slippage, landslide, subsidence or substantial soil erosion. The City's development standards shall dictate the use of Best Management Practices to minimize the potential for these problems.*

CP Policy EN-71 *The City shall consider the impacts of new development on hazards associated with soils and subsurface drainage as a part of its environmental review process and require any appropriate mitigating measures.*

CP Policy EN-70 *Where there is a high probability of erosion (see Map 9.6), grading should be kept to a minimum and disturbed vegetation should be restored as soon as*

feasible. The City's development standards shall dictate the use of Best Management Practices for clearing and grading activity.

CP Policy EN-33 The City recognizes the important benefits of native vegetation including its role in attracting native wildlife, preserving the natural hydrology, and maintaining the natural character of the Pacific Northwest region. Native vegetation can also reduce the use of pesticides (thereby reducing the amount of contaminants that may enter nearby water systems) and reduce watering required of non-native species (thereby promoting conservation). The City shall encourage the use of native vegetation as an integral part of public and private development plans through strategies that include, but are not limited to, the following:

- Encouraging the use of native plants in street landscapes and in public facilities.*
- Providing greater clarity in development regulations in how native plants can be used in private development proposals.*
- Pursuing opportunities to educate the public about the benefits of native plants.*

CP Policy EN-34 The City shall discourage the unnecessary disturbance of natural vegetation in new development.

CP Policy EN-35 The City shall encourage the use of water conserving plants in landscaping for both public and private projects.

CP Policy EN-37 The City shall strengthen the tree protection ordinance targeted at protecting large stands of trees and significant trees within the City.

Comments: These environmental policies were used to establish the bases for mitigations in the SEPA MDNS for this proposal.

7. Auburn City Code (ACC): Title 18 Zoning (Vested to Zoning at the time of application)

Chapter 18.12 - R1 SINGLE FAMILY RESIDENTIAL DISTRICT

18.12.010 Intent. The R 1 single family residential zones are intended to create a living environment of optimum standards for single family dwellings It is further intended to limit development to relatively low degrees of density This district will provide for the development of single family detached dwellings not more than one such dwelling on each lot and for such accessory uses as are related incidental and not detrimental to the residential environment.

Ord. 4229 - 1987.

ACC18.12.040 Development standards:

Development standards in an R1 district are as follows:

A. Minimum lot area 8000 square feet

B. Minimum lot width 75 feet;

- 1. Reduced lot width provisions: A maximum of 20 percent of the lots within a plat of 50 lots or more may reduce the lot width to 60 feet. This reduction shall only be approved simultaneously with a preliminary plat. This provision may only be used when it is necessary to accommodate a proper lot or street layout due to physical*

constraints of the subdivision. The narrower lots shall be dispersed throughout the subdivision and shall not be clustered in one area.

C. Minimum lot depth: 100 feet;

D. Maximum lot coverage: 35 percent;

E. Minimum yard setbacks:

1. Front 25 feet

2. Side interior for lots 75 feet or wider one side shall be five feet and the other 10 feet for lots less than 75 feet wide each side may be five feet,

3. Side, street 10 feet,

4. Rear: 25 feet,

5. Accessory structures shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to 10 feet provided that any structure with a vehicular entrance from a street public or private or public alley shall be set back a minimum of 20 feet;

F. Maximum building height:

1. Main buildings 30 feet,

2. Accessory buildings 16 feet; ...

H. Parking see Chapter 18.52 ACC; ...

Comment: The proposed lots meet the above requirements for lot area, lot width and lot depth. A modification is requested from the requirement in ACC 17.12.250 that corner lots be designed to each have an additional 5 foot width than required by zoning. Lots 13 and Lot 15 are designed as 75 foot wide lots and meet the minimum zoning standard. Staff supports the modification request, these two lots can not be further widened as both the lot and street layout is physically constrained by slopes, street design standards, zoning standards and compliance with Comprehensive Plan density. The two lots are not adjacent to one another; they are separated by Lot 14. It is further noted that if the recently adopted Title 17 and 18 were to be applied, a total width of 55 feet would be required for each lot (See ACC18.07.030 E. and 17.14.090 D)

Setbacks, height and lot coverage will be shown on the building permit review for each individual lot. Once the plat is recorded, an applicant requesting a building permit could choose to use the "vested" zoning for up to 5 years per RCW 58.17.170. Or alternatively, the zoning standards of the current adopted R-5 classification which may be applied to the property as provided in ACC18.07.030. For example, a 10 foot front setback with the garage remaining 20 feet from the front line is allowed in R-5, provided that if setbacks of the current adopted code are used, the other adopted standards for maximum impervious surface, maximum lot coverage, and all other zoning provisions would be applied as well.

G. NATURAL FEATURES / SITE ALTERATIONS

1. Soils: Soils on the site are classified in the King County Soil Survey as Alderwood gravelly sandy loam (AgC). The Geotechnical Engineering Report, prepared by Geotech Consultants, Inc., dated 3/30/2007 (Exhibit 9) provides a detailed description of the soils across the site.

2. Topography: The site generally slopes from the southeast to northwest with an overall average slope of 19 %. The slope of the property varies from less than 10% to 30% on the site.

Sheet 2 of the preliminary plat plan set (Exhibit 3) provides detailed topographic information of existing conditions.

3. **Landslide Hazard:** The site and surrounding area (east of Lakeland Hills to 182nd St SE) is mapped on Auburn GIS as Landslide Hazard Area. Landslide Hazard Areas are those areas due to a combination of slope inclination, relative soil permeability, and hydrologic conditions are susceptible to varying degrees of risk of landsliding. Landslide hazard areas are classified as Classes I through IV based on the degree of risk. Based on the information contained in the geotechnical engineering report, portions of the site contain:

1. Class I/Low Hazard. Areas with slopes of 15 percent or less. and
2. Class II/Moderate Hazard. Areas with slopes of between 15 percent and 40 percent and that are underlain by soils that consist largely of sand, gravel or glacial till.

4. **Site Grading:** Grading of the site is intended to minimize slopes of new streets, provide level building sites, and construct the detention pond and water quality facility. Impervious road surfaces will cover approximately 13.7% of the property. Another 26.5% of the property could potentially be covered with impervious surface if each lot is covered with the maximum amount of lot coverage allowed by the City of Auburn Zoning Code (35%). Under this scenario, roads and lot coverage would total 40.2% of the site.

Approximately 13,500 CY of fill and 158,500 CY of excavation are anticipated for this project with cuts up to 22 feet and fills up to 16 feet to reach final grades. The project includes grading the site's sensitive 3:1 (Horizontal:Vertical) steep slopes areas which will result in some slopes as great as 2:1. The 2:1 slopes are primary within the areas of the Public Utility and Detention Pond Tract A; Openspace Tract B; the rear portion of Lots 24-30, and the west and north portions of Lot 7.

Extensive recommendations are contained in the Geotech Consultants, Inc. 3/30/2007 geotechnical report and the 4/4/2008 addendum (Exhibits 9 and 10). The geotechnical recommendations address slope stability and dewatering of slopes. The SEPA MDNS requires additional mitigation involving slopes, further geotechnical analysis and permanent revegetation (see Section C above in this report).

The project also includes steep/high rockeries/retaining walls on the west side of the site that will be evaluated by the City for their structural integrity. Detailed review of engineering plans for grading, facility improvements, rockeries/retaining walls and other improvements will be completed with development permits to ensure long term stability.

A Temporary Erosion and Sedimentation Control (TESC) Plan and a permanent slope stability plan will be required as part of the Grading Permit application. Measures used to control erosion and sedimentation will require use of Best Management Practices per City of Auburn standards.

The geotechnical report and addendum report includes recommendations which address foundations for homes placed on fill (Lots 7-10). The placement of structural fill will require special inspection and completion of the City's special inspection forms. Lots 7-10 may require an engineered foundation design for footing placed on structural fill. If needed, a condition of approval could require a note on the face of the plat stating such requirement.

Requirements of ACC Chapter 15.74 Land Clearing are applicable to the site.

A Department of Natural Resources Forest Practice permit is required prior to land clearing activities commencing on site.

5. Site Drainage: Surface water sheet flows north towards the on-site wetland and northwest property boundary. Beyond the property boundaries, the wetland drains via a drainage swale to a defined stream channel and other surface flows enter the stream channel further north.

Stormwater runoff from the site including runoff resulting from new impervious surfaces is collected in catch basins and flows through conveyance pipes to the detention pond at the north end of the subdivision. A biofiltration swale will perform water quality functions before the water is released by a flow spreader into the onsite wetland. An analysis of the potential hydrologic changes to the wetland and implementation of enhancement recommendations is required by ACC 16.10 to avoid wetland impacts, assure proper hydrologic support, maintenance of the release rate of water and assure no net loss to wetland function.

All storm drainage facilities will be required to comply with the City of Auburn's adopted codes and standards. The City of Auburn requires the preparation, review and approval of a temporary and permanent erosion and sedimentation control plan in accordance with the City's Design and Construction Standards Manuals. Designing the plat in conformance with the guidelines described in the manuals, the recommendations of the geo-technical reports will implement additional measures that require geo-technical oversight.

A Department of Ecology Construction Stormwater General Permit is required prior to site work commencing.

6. Wetlands and Streams: There is an existing 10,000 square foot scrub-shrub wetland on the north central portion of the site which is partially forested; however there are not a sufficient number of trees to classify the wetland as a forested wetland. The wetland is classified as a Category 4 wetland due to its score of 26 on the Department of Ecology Wetlands Rating Form for Western Washington (Exhibit 8), prepared by Sewall Wetland Consulting. A minimum 25 foot wide wetland buffer is required under ACC 16.10.090. PB&C supports use of a 25 foot buffer width, provided that the wetland is placed into a separate tract, hydrology of the wetland will not be altered to a degree that would cause a net loss of wetland functions and values.; and provided that fencing and signage of the wetland is installed to identify and protect the wetland feature. (See the Site Drainage Section above regarding hydrology).

There were no streams or required stream buffers identified on the subject property. The existing stream and its buffer on the property to the north are more than 75 feet away from the subject property.

7. Plants and Wildlife: No state or federal candidate threatened or endangered animal species, habitat or plant species has been identified on the site. This site does contain habitat for small animals and birds.

Natural groundcover currently includes a substantial number of significant trees across the site which will be removed in order to allow for the grading for streets, and lots for homes. The one exception of area which will not be disturbed is the .41 acre wetland and wetland buffer area near the north property line.

Objective 18.5 of the Comprehensive Plan recognizes the aesthetic, environmental and use benefits of vegetation and to promote its retention and propagation. Policy under this objective was applied through SEPA to assure replanting of areas re-graded to sloped areas 40% or greater will be planted with appropriate native vegetation. Replanting will assist to offset the removal of a large amount of significant trees on site. This mitigation is a mechanism to assist in the long-term protection of these slopes, mitigate for the aesthetic impact and mitigate for the impact to wildlife habitat, planting of appropriate vegetation. Washington State Department of Ecology provides guidance for planting with native vegetation to provide long term slope stability, replacement planting, aesthetics, wildlife benefits. (See Exhibit 6).

8. Archaeological Resources: On this site, there are no known objects listed on, or proposed for, national, state or local preservation registers. An archaeological assessment was prepared for the Kersey 3 proposal, dated 12/8/2004 and The Washington State Department of Archeology commented on the Kersey 3 proposal and identified a site named the "Williams Farmstead Site" that sits on the northeast portion of the Park Ridge property which is located west of the subject property. (See Hearing Exhibit 27)

A condition can be required to assure that site disturbing activities are monitored by the Applicant to determine the presence, if any, of archaeological resources within the proposed subdivision site boundaries and that evidence of the presence of archaeological resources is promptly reported to the City of Auburn.

H. TRANSPORTATION, ACCESS AND STREETS:

1. The City of Auburn Transportation Plan classifies Kersey Way SE as a minor arterial. This arterial is located approximately 700 feet north of Forest Glen at Lakeland and is the closest arterial to the site. It is improved with two lanes of travel and varying shoulder width.

The Non-Motorized Transportation Plan identifies the Williams Trail as a future Multi Use Trail that would include a segment along or near the north right-of-way of Kersey Way SE from R St SE southeast to the intersection of 53rd St SE with Evergreen Way SE. This is the closest identified trail in proximity of the site.

2. The subject property has an unimproved access easement through the property to the north (Lakeland Hills Estates) to Kersey Way SE. The proposed plat configuration however relies instead on alternative ingress and egress access to both Kersey Way SE and Evergreen Way SE. by the completion and acceptance of public streets constructed within the Kersey 3 Division 1A, The Ridge At Bowman Creek, and Lakeland Hills Estates developments.

Final acceptance of these streets by the City will also require acceptance of all supporting and related infrastructure, such as storm water facilities to collect storm runoff from streets.

See Attachment A to this report which shows the proposed street connection to serve the lots in Forest Glen at Lakeland.

3.. The construction of 30 single family homes on this site is expected to generate 300 vehicle round trip per day (10 trips per household) and approximately 30 peak hour vehicular trips between the hours of 4 to 6 PM. Traffic will enter and exit the subdivision from the different locations referenced above with an approximate equal distribution between Kersey Way SE and Evergreen Way SE. Total vehicular trips during peak hours will be split with 63% entering and 37% exiting the subdivision. The Transportation Solutions Trip Generation Report dated

1/15/2007 (Hearing Exhibit 12) was based on a higher unit count of 37 dwellings. The report concluded that no single corridor would receive 30 or more peak hour vehicle trips from the project.

4. Streets inside the plat will be constructed to City of Auburn standards for public residential streets, including: a 28 foot wide street surface, curbs, gutters, street landscape strips and sidewalks on both sides of streets. A right-of-way width of 50 feet is planned. Where traffic circles, cul-de-sac and curvatures in the streets are proposed the widths of right-of-way width will vary to accommodate these features.

To assure a minimum 20 foot wide access corridor for emergency vehicles, on-street parking will be limited to one side only. Streets will be signed to identify where parking is prohibited.

5. In two instances the plat design will require the approval of deviations related to road geometry (Hearing Exhibit 13), specifically:

A deviation from Design Standards Section 10.02.1 Table 10-1 for the minimum horizontal curve radius of 375 feet. The applicant has requested this deviation to create a 100 foot horizontal curve radius on the transition between Udall St. SE and 53rd St SE.

Comment: City staff supports the requested deviation contingent on the completed construction of the planned installation of traffic calming measures on 53rd Street SE which will encourage lower speeds into the curve.

A deviation from Design Standards Section 10.02.1 Table 10-1 for the maximum vertical grade of 6 percent. The applicant has requested a deviation to create a vertical grade of up to 8 percent on 54th Street SE.

Comment: City staff supports the requested deviation since the steeper grades help provide a plat layout that accommodates a second street access serving this development, the street grades also minimize the grading of the site, the steeper grades only apply to a portion of one of the two streets serving the development, the proposed grades accommodate reasonable access to adjacent lots, and the grades afford no appreciable impact to the maintenance and operations of the planned public utilities in the street.

6. At the time of issuance of residential building permits, payment of the traffic impact fees will be required per ACC.19.04.

I. PUBLIC SERVICES and UTILITIES

1. Schools: The property lies within the Auburn School District. Currently, the property is within the attendance area of the following schools:

Auburn Riverside High School
501 Oravetz Road, Auburn WA 98092

Mt. Baker Middle School
62- 37th Street Southeast, Auburn WA 98002

Gildo Rey Elementary School
1005 37th Street Southeast, Auburn WA 98002

District transportation maps show that the property is over one mile from each school and students would not be within walking distance to schools and therefore transportation will be provided for students. There currently are no bus stop locations within the immediate vicinity of proposed project. In the neighboring plat of Lakeland Hills Estates, adequate facilities within the plat to allow drop off and pick up opportunities for school bus access are required (Plat Condition 13). A similar condition could also be required for this plat approval.

On behalf of the Auburn School District, school impact fees will be collected by the City at building permit issuance per Title 19.02.

2. Recreation: The nearest recreational facilities are Lakeland Hills Park and Sunset Park. Two other City parks are under construction within the nearby plats of The Ridge at Bowman Creek and Kersey 3 Div. 1A.

No on-site recreational facilities are proposed. Park impact fees support recreation facilities that are needed to serve new residential growth within the City. Payment of park impact fees will be required at the time of issuance of building permits for new homes per Title 19.08.

3. Fire Protection: Valley Regional Fire Authority (VRFA) serves this area with emergency fire, aid and rescue services. Fire Station # 33 which is less than one mile from the property was recently constructed and is anticipated to be operational before the end of the month.

To assure that there is sufficient access width available on streets for fire apparatus, VRFA has recommended that parking be allowed on only one side of each street within the plat.

Fire impact fees support VRFA protection facilities that are needed to serve new residential growth throughout the service area. Payment of fire impact fees will be required at the time of issuance of building permits for new homes per Title 19.06.

4. Sewer: The property will be served by the City of Auburn. All sewer mains on site will be located within public right-of-way, except for approximately 300 feet of main which will be located within the Public Utility and Detention Pond Tract A. The applicant will connect the gravity sewer system to the south end of the gravity sewer planned to be constructed as part of the Lakeland Hills Estates Plat. Applicant is solely responsible for all requirements related connection to such other off site sewer system infrastructure.

5. Water: Public water for both domestic use and fire protection will be provided by the City of Auburn.

- a. To provide adequate water storage and distribution for both domestic water and fire flow, substantial new infrastructure improvements are required including a dependency on the completion and acceptance of the water infrastructure required to serve the Kersey 3 Division 1A, the Ridge At Bowman Creek, and Lakeland Hills Estates developments. They all are subject to Facilities Extension Agreements to move ahead with plat development. For Forest Glen at Lakeland the Applicant is solely responsible for all

requirements related connection to such other off site water system infrastructure. The applicant cannot begin construction activities until adequate water service is available.

- b. Water mains and infrastructure within the plat will comply with all City of Auburn standards for providing domestic potable water, fire flow, and fire hydrant spacing, with the exception of one proposed dead-end water line at the terminus of Victoria Ave SE. A deviation has been requested from the requirement to provide a looped main in order to instead construct the dead-end main (ACC 13.16.090).

Comment: City staff supports the requested deviation since dead-end mains are not uncommon at a cul-de-sac where flushing devices (such as fire hydrants, blow-offs) are installed to routinely flush the main and eliminate possible water quality issues associated with dead-end mains.

6. Other Utilities: Potelco, Inc. will coordinate construction and placement of electrical, fiber optic cable, telephone and gas lines, as needed, to and within the development. Puget Sound Energy, Qwest Communications and Comcast Cable Communications will provide services to the plat. Solid Waste Disposal and Recycling Service will be provided by local provider as contracted with the City.

J. PRELIMINARY SUBDIVISION CRITERIA

1. State of Washington criteria for factors to be considered, conditions for approval, required findings for a subdivision are contained in RCW 58.17.110. Subsection 2 states:

A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

2. ACC 17.06.070 Findings of fact.
Preliminary plats shall only be approved if findings of fact are drawn to support the following:

- A. Adequate provisions are made for the public health, safety and general welfare and for open spaces, drainage ways, streets, alleys other public ways, water supplies, sanitary wastes, parks, play grounds and sites for schools and school grounds.*
- B. Conformance of the proposed subdivision to the general purposes of the comprehensive plan;*
- C. Conformance of the proposed subdivision to the general purposes of any other applicable policies or plans which have been adopted by the city council*
- D. Conformance of the proposed subdivision to the general purposes of this title as enumerated in ACC 17.02.030;*
- E. Conformance of the proposed subdivision to the Auburn zoning ordinance and any other applicable planning or engineering standards and specifications as adopted by the city or as modified and approved as part of a PUD pursuant to Chapter 18.69 ACC;*
- F. The potential environmental impacts of the proposed subdivision are mitigated such that the preliminary plat will not have an unacceptable adverse effect upon the quality of the environment;*
- G. Adequate provisions are made so the preliminary plat will prevent or abate public nuisances.*

3. ACC 17.12.250 Lot requirements
D Corner lots designated for residential uses shall be platted at least five feet wider than required by the zoning ordinance.

Comment: A modification is requested from the requirement in ACC 17.12.250 that corner lots be designed to each have an additional 5 foot width than required by zoning. Lots 13 and Lot 15 are designed as 75 foot wide lots and meet the minimum zoning standard. Staff supports the modification request, these two lots can not be further widened as both the lot and street layout is physically constrained by slopes, street design standards, zoning standards and compliance with Comprehensive Plan density. The two lots are not adjacent to one another; they are separated by Lot 14. It is further noted that if the recently adopted Title 17 and 18 were to be applied, a total width of 55 feet would be required for each lot (See ACC18.07.030 E. and 17.14.090 D)

4. ACC 17.18.010 Formal subdivisions
A The hearing examiner may approve a modification of any standard or specification established or referenced by Chapter 17.12 ACC upon making the findings of fact in ACC 17.18.030.
B The request for modification shall be processed simultaneously with the preliminary plat and the applicant shall submit the modification on forms provided by the planning department Ord. 6186 15 2008. Ord 4296 2 1988

ACC 17.18.030 Findings of fact

- A. Such modification is necessary because of special circumstances related to the size shape topography location or surroundings of the subject property to provide the owner with development rights and privileges permitted to other properties in the vicinity and in the zoning district in which the subject property is located*

- B. That because of such special circumstances the development of the property in strict conformity with the provisions of this title will not allow a reasonable and harmonious use of the property*
- C. That the modification if granted will not alter the character of the neighborhood or be detrimental to surrounding properties in which the property is located*
- D. Such modification will not be materially detrimental to the implementation of the policies and objectives of the comprehensive land use circulation and utility plans of the city*
- E. Literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district*
- F. The approval of the modification will be consistent with the purpose of this title*
- G. The modification cannot lessen the requirements of the zoning ordinance Any such modification must be processed as a variance pursuant to ACC 18.70.010. (Ord 4296, 1988)*

Comments: See the Conclusion Section of this report regarding compliance with RCW 58.17.110, and ACC Title 17.

K. OTHER

1. The proposal is subject to the following City of Auburn and State regulations and standards:
 - a. SEPA mitigations, See SEPA Section of this report
 - b. ACC Title 10 – Vehicles and Traffic
 - c. ACC Title 12 – Streets, Sidewalks and Public Works
 - d. ACC Title 13 - Water, Sewer, and Public Utilities
 - e. ACC Title 14 - Project Review
 - f. ACC Title 15 – Buildings and Construction
 - g. ACC Title 16 – Environmental
 - h. ACC Title 17 – Subdivisions
 - i. ACC Title 18 – Zoning
 - j. ACC Title 19 – Impact Fees
 - k. RCW 58.17 as applied to subdivisions
2. Preliminary approval of this application does not limit the applicant's responsibility to obtain any required permit or license from the State or other regulatory body. This may include, but is not limited to the following:
 - a. Forest Practice Permit from the Washington State Dept. of Natural Resources.
 - b. National Pollutant Discharge Elimination System (NPDES) Permit from WSDOE.
 - c. Water Quality Modification Permit from WSDOE.
 - d. Water Quality Certification (401) Permit from U.S. Army Corps of Engineers
 - e. Registration with the Washington State Department of Licensing, Real Estate Division.

CONCLUSIONS

1. Pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C, the responsible official issued a threshold determination – mitigated determination of non-significance (MDNS) for the proposal on October 30, 2009. This determination was based on the review of the environmental checklist and other pertinent documents, resulting in the conclusion that provided the mitigations are implemented, the proposal would not cause probable significant adverse impacts on the environment. The City at this time reconfirms its determination did not find reason to modify or withdraw the MDNS.
2. The subject subdivision will comply with the goals and objectives of the City of Auburn Comprehensive Plan and the proposed density of 3 dwellings per gross acre meets the intent of the Comprehensive Plan designation of Single Family Residential (typically 4-6 dwellings per acre) when factoring in site constraints of on-site wetlands, slopes and open space needs of the property.
3. If approved with the recommended conditions in this report, the proposed development will comply with the requirements of the City and State Platting Codes and Statutes which allow for modifications per ACC 17.18.030 and the lots in the proposed subdivision will comply with the minimum dimensional requirements of the zone district.
4. As required under RCW 58.17.110 and ACC 17.06.070 A, this plat will provide appropriate provisions for the public health, safety, and general welfare and for such open spaces, drainage ways, streets, potable water, sanitary sewers, sidewalks and other planning features, provided that the infrastructure improvements required under Plat Files PLT05-0001, PLT09-0006, PLT05-0002, PLT09-0005, and PLT05-0004 are completed. Conditions of plat approval will assure that the infrastructure necessary to serve future residents will be fully construction of homes on the property.
5. Additional demand and need for transportation, fire, school and park facilities services resulting from new development will be adequately addressed through assessment of impact fees. Title 19 of the Auburn City Code requires new development to pay a proportionate share of the cost of transportation, fire, school and park facilities determined to be needed.
6. The subject subdivision will comply with the goals, objectives and general purposes of the City of Auburn Comprehensive Plan as required by ACC 17.06.070 B and C. and will comply with the requirements of the Subdivision and Zoning Codes and other official land use controls of Auburn, based on the recommended conditions below.
7. The 30-lot subdivision is consistent with Single Family Residential District. Adequate provisions for water, sewer, and storm drainage are provided as part of this project provided that the infrastructure improvements required under Plat Files PLT05-0001, PLT09-0006, PLT05-0002, PLT09-0005, and PLT05-0004 are completed. The plat has been processed in accordance with the regulations of the Auburn City Code ACC 17.06.070 D and E, other city plans, policies and land use controls, and RCW Chapter 58.17. The plat is designed to be in accordance with applicable City standards including the City's Design and Construction Standards Manuals, with the exception of the requested plat modifications/ deviations.

Pursuant to ACC Chapter 13.48 and City of Auburn Design Standards, a storm drainage plan and subsequent installation of an approved stormwater management system is required. Adverse environmental impacts associated with increased stormwater runoff from this development are adequately addressed by compliance with these regulations.

8. The project is consistent with the Non Motorized portion of the Transportation Element of the Comprehensive Plan. Sidewalks will be constructed along both sides of internal streets and will ultimately connect to sidewalks within adjoining plats.

9. The project environmental impacts will be mitigated pursuant to SEPA conditions and other conditions of approval as required by ACC 17.06.070 F., such that the preliminary plat will not have an unacceptable adverse effect upon the quality of the environment.

10. Adequate provisions are made so the preliminary plat will prevent or abate public nuisances per ACC 17.06.070 G., including construction noise, and construction truck traffic.

Pursuant to ACC Chapter 15.74 and City of Auburn Design Standards, a temporary erosion and sediment control plan is required to be approved and implemented on the site prior to and during site development. Adverse environmental impacts associated with erosion and sedimentation from this development is adequately addressed through compliance with these regulations.

11. Staff concurs with the deviations and modification requests in light of the modification criteria of ACC 17.18.030 and finds the requests are justified for street deviations, water deviation and corner lot width deduction.

12. While the Applicant's proposal anticipates that off-site infrastructure improvements (including, but not limited to streets, water, sanitary sewer, and storm drainage) will be completed by others, the City staff can not confirm when or if all improvements will actually be constructed and it is solely the responsibility of the applicant for ensuring that improvements occur.

The applicant however is taking a calculated risk by proceeding with the preliminary plat, if his intention is to wait for others to complete the off-site improvements needed to support the plat. The City does not guarantee that the off-site improvements required by other plat applications will be completed. If they are not, improvements and accepted this preliminary plat approval would expire due to the lack of off-site infrastructure.

RECOMMENDATION

City staff recommends approval of the 10/25/2009 revised Preliminary Plat of Forest Glen at Lakeland, subject to the following conditions being satisfied prior to submittal and approval of the Final Plat:

GENERAL

1. Compliance with conditions of preliminary plat approval as contained in Resolution 4021 for Kersey 3 Div. 1 (PLT05-0001), Resolution 4024 for The Ridge At Bowman Creek (PLT05-0002), and Resolution 4116 for Lakeland Hills Estates (PLT05-0004) unless modified under the conditions contained herein.
2. Plat boundary discrepancies as may arise shall be resolved to the satisfaction of the City engineer prior to the submittal of the final plat documents. As used in this condition, "discrepancy" is a boundary hiatus, an overlapping boundary or a physical appurtenance which indicates an encroachment, lines of possession or a conflict of title. RCW 58.17.
3. A homeowners' association shall be established which clearly provides for the ownership and continued maintenance of Open Space Tract B, Wetland/Critical Area Tract C, and Maintenance of landscaping within the Utilities and Drainage Pond/Tract A.
4. Nothing in these conditions shall preclude completion of infrastructure improvements by others. Should required off-site improvements be completed by others, the applicant will be responsible for paying any required pro rata share of the costs as may be established and approved by the City, ACC 13.40.060.

ROADS

5. Road facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual road system design layout per (reference). To provide road access to the existing external road network substantial new infrastructure improvements are required including the completion and acceptance of the road infrastructure required to serve the Kersey 3 Division 1A, the Ridge At Bowman Creek, and Lakeland Hills Estates developments.

Final acceptance of these streets by the City will also require construction and acceptance of all supporting and related infrastructure, such as storm water facilities to collect storm runoff from streets.

6. The applicant shall construct all street improvements in compliance with Auburn Design Standards, with the exception of the two deviations from maximum vertical curve radius on the transition between Udall St. SE and 53rd St SE. and from maximum vertical grade on 54th Street SE., as shown on the approved preliminary plat if those deviation requests are supported by the City Council.
7. Construction activities within the plat shall not commence until construction, completion and accepted by the City of the connecting streets.

8. Where retaining walls are used adjacent to public roads or within a public facility, the applicant shall provide either mechanically stabilized earth or cement concrete retaining walls, as determined as necessary and approved by the City Engineer.
9. The applicant shall design and construct traffic calming circles on 53rd St. SE and 54th St. SE as shown on the preliminary plat.
10. Internal plat streets and utilities shall be extended to the adjoining property (west) as depicted on the preliminary plat.

SEWER

11. Sanitary sewer facilities shall be provided, constructed and accepted consistent with the City of Auburn Design Standards and the conceptual sanitary sewer system design layout. The applicant will connect the gravity sewer system to the south end of the gravity sewer planned to be constructed as part of the Lakeland Hills Estates and the Kersey 3 Division 1A developments.
12. The applicant shall grant the City additional easement area on Lot 9 to provide a combined width of 30 feet across Tract A and Lot 9 as shown on the preliminary plat maps.

WATER

13. Water facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual water system design layout per the preliminary plat Exhibit 3. To provide adequate water storage and distribution for both domestic water and fire flow, substantial new infrastructure improvements are required including the completion and acceptance of the water infrastructure required to serve the Kersey 3 Division 1A, the Ridge At Bowman Creek, and Lakeland Hills Estates developments.
14. A deviation from the Design Standards is allowed, permitting construction of a dead-end main at the terminus of Victoria Ave SE, if supported by the City Council. Fire hydrant location shall be approved by VRFA and City Engineer.
15. A restriction shall be placed on the final plat stating: "The lowest floor elevation, whether basement or first floor, for residential structures built on Lots 7 through 12 is at or above elevation 352, in order to avoid high water pressure which would require the installation of individual pressure reducing valves."

GRADING, FILL AND STORM DRAINAGE

16. The geotechnical report and addendum report includes recommendations which in part address foundations of homes on fill on Lots 7-10. The placement of structural fill will require special inspection and completion of the City's special inspection forms. Lots 7-10 may require an engineered foundation design for footing placed on structural fill. If determined to be necessary at the time of plat engineering approval, a note shall be included on the face of the plat stating the restriction.
17. Storm drainage facilities shall incorporate high standards of design to enhance the appearance of the site and serve as an amenity. The design of above ground storage and conveyance facilities shall incorporate landscaping utilizing native vegetation, minimal side

slopes, safety, maintenance needs, and function. Prior to engineering approval and construction, a landscaping plan with applicable cross-sections shall be provided to demonstrate that storm drainage pond aesthetic requirements consistent with City standards can be accommodated on-site.

18. All storm drainage conveyance lines required to manage upstream bypass surface flows shall be routed through the project site and shall not be combined with the proposed on-site storm drainage system.
19. The HOA shall maintain those portions of the Public Utilities and Detention Tract A located outside the fenced pond boundary, or if no fence is provided, outside the 10-year storm water surface elevation, as determined by the City Engineer.
20. Given the steep slopes found on the site, appropriately designed energy dissipation features are required at the end of long runs of pipe, at pipe intersections and at the inlet/outlet to the storm drainage pond.
21. Storm drainage facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual storm drainage system design layout per (Exhibit 3). In order to achieve this, the following design elements shall be incorporated into the proposed design:
 - Construct a 3' wide berm and security fence @ the 10-year water surface elevation.
 - Maintenance is required along the length of the bioswale.
 - Geotechnical engineering recommendations.
 - Install bollards at the pond access road.
 - Meet minimum access turning radius requirements at all vehicular accessible areas.
22. All residential downspout connections and footing drains shall be tightlined to the nearest public drainage system and be placed within private drainage easements.
23. Prior to issuance of clearing or grading permits, a grading plan for grading and clearing necessary for both the construction of infrastructure such as roads and utilities and for lot grading shall be prepared, submitted and approved by the City of Auburn. The purpose of the plan is to accomplish the maximum amount of grading at one time to limit or avoid the need for subsequent grading and disturbance, including grading of individual lots during home construction. The plan shall identify the surveyed boundary of the crest slopes for the site's 40% or greater slopes. This plan shall show quantities and locations of excavations, and embankments, the design of temporary storm drainage detention system, and methods of preventing drainage, erosion and sedimentation from impacting adjacent properties, natural and public storm drainage systems and other near by sensitive areas. Temporary detention facilities shall be designed with a 1.5 safety factor applied to the post-developed calculated pond design volume for the 25-year 24-hour post developed storm event. All the measures shall be implemented prior to beginning phased on-site filling, grading or construction activities. The applicant's grading plans shall be prepared in conjunction with and reviewed by a licensed geotechnical engineer. The geotechnical engineer shall develop and submit, for the City's review, specific recommendations to mitigate grading activities with particular attention to developing a plan to minimize the extent and time soils are exposed on site and address grading and related activities during wet weather periods (the

period of greatest concern is October 1 through March 31). The plans shall show the type and the extent of geologic hazard area or any other critical areas as required in Chapters 16, and 18 of the International Building Code (IBC). (Policy EN-69, EN-70, ACP) and/or the City's Critical Areas Ordinance. Also see SEPA Mitigations and Wetland conditions below, Conditions 29-33 and 36-37.

24. Upon completion of rough grading and excavation, the applicant shall have a geo-technical engineer re-analyze the site and determine if new or additional mitigation measures are necessary. A revised geotechnical report shall be submitted to the City of Auburn for review and approval by the City Engineer. Recommendations for areas where subsurface water is known or discovered shall be given particular attention by the geotechnical engineer and coordinated with the project engineer responsible for the storm drainage system design.
25. Any discharge of sediment laden runoff or other pollutant to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington. All releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials during construction must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.
26. Prior to commencing site clearing or grading activities, the applicant shall submit a proposed dust control plan for review and approval. This plan shall show methods of preventing dust from impacting adjacent properties, natural and public storm drainage systems, and right-of-ways. Control measures shall be implemented prior to the beginning and in conjunction with on-site clearing, filling, grading or other construction activities.
27. Truck Route -Prior to issuance of grading or other construction permits, the applicant shall submit a haul route plan explaining: roads to be traveled on, type of material to be hauled, total quantity of material to be hauled, total number of expected days of the haul, expected daily start and end time of the haul, total number of trips, total number of expected trips per day estimated start and completion date. A traffic control plan shall be submitted showing intended methods and placement of traffic control and clearly showing the site entrance used for hauling. Based on the haul route plan, the City Engineer may condition hauling operations to mitigate impacts to streets. Such measures may include road repair or reconstruction, limitations to days and times of the haul, and installation of traffic control measures.
28. All construction shall occur between the hours of 7:00 a.m. and 10:00 p.m. Monday-Saturday and between the hours of 9:00 a.m. and 10:00 p.m. on Sundays.

WETLANDS

29. The Category 4 Wetland and associated 25 foot wide buffer shall be preserved in a separate critical areas tract, and shown as the final plat. Final plat notes shall be recorded and include the following statement:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND BUFFERS

Restrictions of a Critical Area Tract/ Critical Area and Buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This

interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The Critical Area Tract/ Critical Area and Buffer imposes upon all present and future owners and occupiers of the land subject to the Critical Area Tract/ Critical Area and Buffer the obligation, enforceable on behalf of the public by the City of Auburn, to leave undisturbed all trees and other vegetation within the Critical Area Tract/ Critical Area and Buffer. The vegetation within the Critical Area Tract/ Critical Area and Buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City of Auburn, Department of Planning, Building and Community, unless otherwise provided by law.

The common boundary between the Critical Area Tract/ Critical Area and Buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of the City of Auburn prior to any clearing, grading, building construction or other development activity subject to the Critical Area Tract/ Critical Area and Buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the Critical Area and Buffer are completed.

No building foundations or other structures are allowed to be located within the Critical Area and Buffer, nor shall any foundations or structures be located adjacent to the Critical Area and Buffer such that normal maintenance of buildings or structures would result in intrusion of the Critical Area and Buffer

30. A wetland hydrology analysis shall be prepared by a qualified professional to assess whether or not the proposed storm drainage control system will result in a net loss of wetland hydrology, function and value. The wetland shall be monitored over a 3 year period to determine if a net loss in wetland hydrology, functions, and/or values has resulted. A monitoring schedule and contingency plan for the wetland shall be submitted for review and approval by the Planning Director prior to the commencement of any construction activities.
31. Temporary Wetland Markers. The outer perimeter of the critical area buffer and the limits of those areas to be disturbed shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by PB&C Department prior to the commencement of authorized activities. This temporary marking shall be maintained throughout construction, and shall not be removed until permanent signs are in place.
32. Permanent Wetland Signs. The applicant shall install permanent signs along the boundary of Wetland/Critical Area and Buffer Tract C. Permanent signs shall be made of a metal face and attached to a metal post, anchored, or other materials of equal durability approved by PB&C. Signs must be posted at an interval of one per every 50 feet, and must be maintained by the homeowner association in perpetuity.
33. Fencing: A permanent split rail fence shall be installed at the edge of the wetland buffer to discourage human activities within the buffer area. Fence design, including dimensions and materials shall be approved by the Director of Planning, Building & Community.

LOT DEMENSIONS

34. A modification from ACC17.12.250 is allowed, permitting a 75' width for the two corner lots on Udall Ave SE, if supported by the City Council. All other dimensions shall comply with the vested R-1 zone.

HISTORIC

35. Site disturbing activities should be monitored by the Applicant to determine the presence, if any, of archaeological resources within the proposed subdivision site boundaries. Evidence of the presence of archaeological resources shall be promptly reported to the City of Auburn.

SEPA

36. To assure slope stability at the time of site development, geotechnical engineering is necessary. The applicant shall comply with the recommendations contained in the Geotechnical Engineering Study dated March 30, 2007 and Addendum dated April 4, 2008, prepared by Geotech Consultants, Inc.; policy mandates of the Auburn Comprehensive Plan; and Critical Areas Chapter, ACC 16.10 by having a licensed geotechnical engineer sign and stamp civil plans for site development permits (including, but not limited to grading, facility extension and building permits for retaining walls).

All other recommendations contained in the Geotechnical Engineering Study shall be made conditions of project/permit approvals for plat development. For example, a qualified geotechnical representative shall be present during the site clearing and grading; and a qualified geotechnical representative shall conduct frequent density tests as structural fill is being placed and compacted.

37. To mitigate for aesthetic and wildlife impacts and support slope stability, due to the removal of significant trees and creation of steep slopes, a revegetation plan shall be prepared meeting the minimum "Best Management Practices" per Washington State Department of Ecology guidance for planting native vegetation on steep slopes. The plan shall be prepared by a plant biologist (or other professional with equivalent degree) and geotechnical engineer.

Final revegetation of slopes graded to 40% (2.5:1 ratio) or greater shall conform to the revegetation plan. Planting shall be completed prior to final plat approval. A financial guarantee shall be posted for three years to assure maintenance, survival and replacement of vegetation.

List of Exhibits

- Exhibit 1 Staff Report, dated 12/7/2009
Attachment A – Vicinity Map
Attachment B – Reduced Plat Map, dated 10/25/2009
- Exhibit 2* Preliminary Plat Application filed Nov.13, 2006
- Exhibit 3* Revised Preliminary Plat, prepared by Rupert Engineering, Inc. rec'd 10/25/2009
- Exhibit 4* Vicinity Map of Area, prepared by Auburn City staff dated 12/4/09
- Exhibit 5* SEPA Mitigated Determination of Non Significance/MDNS SEP06-0035 issued
10/30/2009
- Exhibit 6* Final Staff Evaluation for Environmental Checklist SEP05-0039 dated 8/17/06
- Exhibit 7* Environmental Checklist dated 11/06/2006
- Exhibit 8* Wetland and Stream Analysis Report, prepared by Sewall Wetland Consulting, dated
10/24/2006
- Exhibit 9* Geotechnical Engineering Report, prepared by Geotech Consultants, Inc., dated
3/30/2007
- Exhibit 10* Addendum to the Geotechnical Engineering Report, prepared by Geotech Consultants,
Inc., dated 4/4/2008
- Exhibit 11* Preliminary Drainage Report, Rupert Engineering Inc, 3/2008.
- Exhibit 12* Trip Generation and Distribution Report, prepared by Transportation Solutions, Inc. (TSI),
1/15/2007.
- Exhibit 13* Request for Deviation from Street Design Standards, Rupert Engineering Inc, dated
8/13/2009
- Exhibit 14* Request for Deviation from ACC13.60 to allow a dead-end main, Rupert Engineering Inc,
dated 3/18/2008
- Exhibit 15* Request for Modification from ACC17.12.250 to allow 75 foot wide corner lots , Rupert
Engineering Inc, dated 12/4/2009
- Exhibit 16* Notice of Application/SEPA: dated 12/3/2008
- Exhibit 17* Notice of Public Hearing 12/3/2008
- Exhibit 18* Affidavit of Posting for Notice of Public Hearing dated 12/7/2009 certifying posting 12/5/2009
- Exhibit 19* Affidavit of Mailing for Notice of Public Hearing 12/3/2009
- Exhibit 20* Affidavit of Publication for Notice of Public Hearing 12/3/2009
- Exhibit 21* Exhibit number reserved for Confirmation of Publication of Legal Notice
- Exhibit 22* Resolution # 4116, approved on 12/20/2006 granting preliminary plat approval of PLT05-
0004 Lakeland Hills Estates
- Exhibit 23* Hearing Examiner report and recommendation for PLT05-0004 Lakeland Hills Estates,
dated 11/21/2006
- Exhibit 24* Resolution 4021 for Kersey 3 Divisions 1A preliminary plat approval PLT05-0001
- Exhibit 25* Resolution 4024 for The Ridge at Bowman Creek preliminary plat approval PLT05-0002
- Exhibit 26* Exhibit A to Resolution referenced in Exhibits 24 & 25, Hearing Examiner report and
recommendation
- Exhibit 27* Final Archeology Report for Kersey 3 Development

*** Exhibit only included in the packet to the hearing examiner, applicant's engineer and PB&C staff but is available for review upon request.**

This report is transmitted to the following:

Parties of Record:

Roger B. Gillette, et al, 30527 124th St. SE, Auburn, WA 98092
Mr. Dave Dormier, P.E., Rupert Engineering, Inc., 1519 West Valley Highway North,
Suite 101, Auburn, WA 98001
Scott Finch, Lakeland Hills Estates LLC, 6457 Lake Washington Blvd SE,
Newcastle, WA 98056
Pacific Engineering Design LLC, 4180 Lind Ave SW, Renton, WA 98056
Dennis Hanberg, Apex Engineering, 2601 S. 35TH ST, #200, Tacoma, WA 98409

City Staff

Kevin Snyder, Acting Director, Planning, Building and Community
Elizabeth Chamberlain, Principal Planner, PB&C
Dennis Selle, City Engineer, Public Works
Ingrid Gaub, Assistant City Engineer Public Works
Joe Welsh, Transportation Planner Public Works
Dan Repp, Utilities Engineer Public Works
Robert Elwell, Sewer Utility Engineer Public Works
Tim Carlaw, Storm Drainage Engineer Public Works
Cynthia Lamothe, Water Utility Engineer Public Works

Agencies

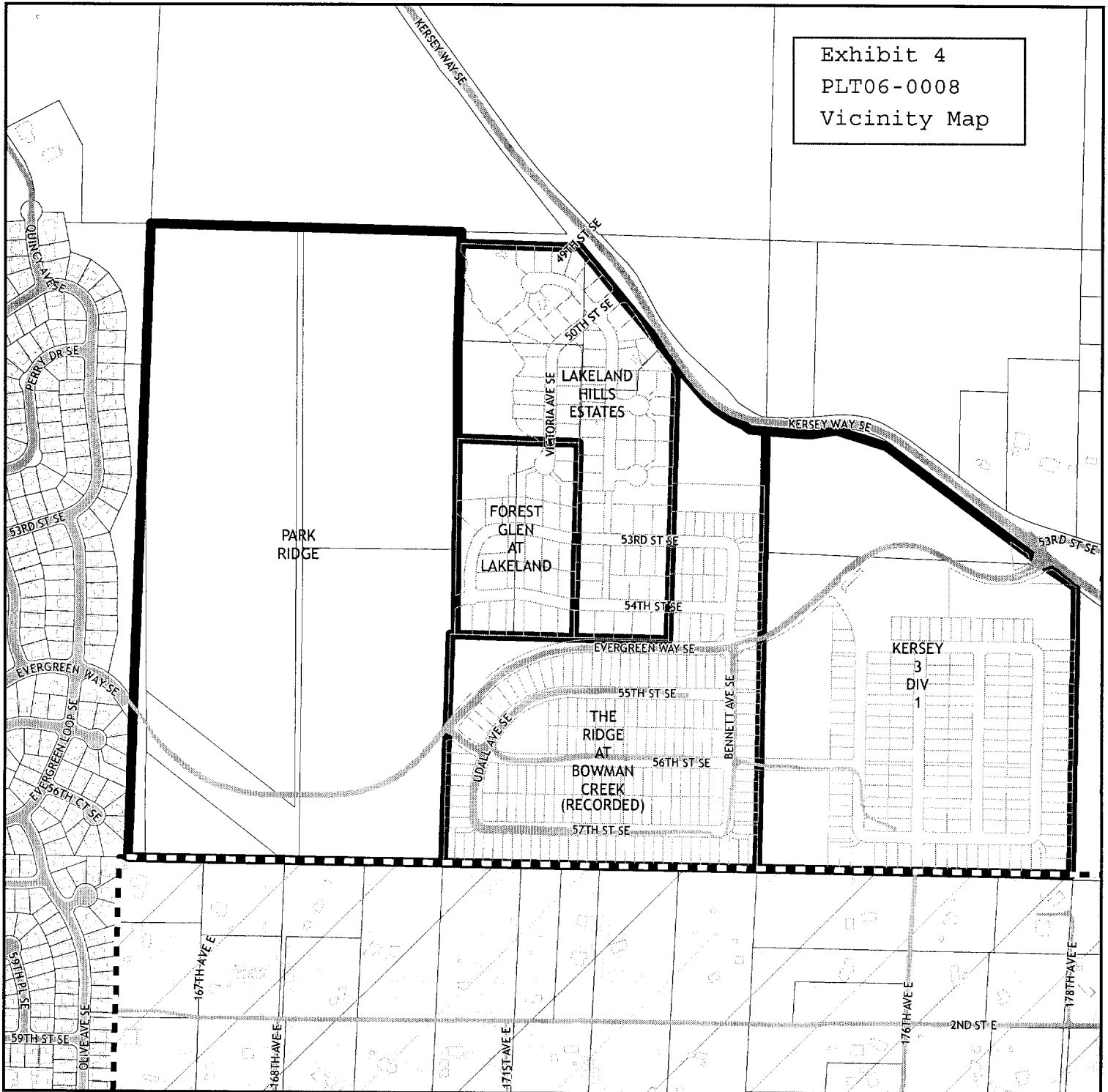
Jeff Stottlemire, VRFA Fire Marshal
Muckleshoot Indian Tribe Cultural Division
U.S. Army Corp of Engineers

ATTACHMENTS

Attachment A – Vicinity Map
Attachment B – Reduced Plat Map, dated 10/25/2009

Forest Glen at Lakeland Vicinity Map

Exhibit 4
PLT06-0008
Vicinity Map



Auburn City Limits



Parcels (Existing)



Buildings



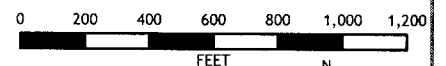
Parcels (Proposed)



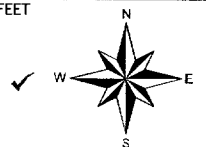
Proposed Development Projects



Potential Annexation Areas



Printed On: 12/04/09
Map ID: 3426



Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.

**MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)
SEP06-0035/ FOREST GLEN AT LAKELAND
Issued – October 30, 2009**

DESCRIPTION OF PROPOSAL: Subdivision of a 10 acre site into 30 single family residential lots, together with tracts for storm drainage, open space, and a wetland. The project will also include the dedication of public streets.

SUBDIVISION FILE: PLT06-0008

PROPONENT: Roger B. Gillette, et al, 30527 124th SE, Auburn, WA 98092

LOCATION: North of the future extension of Evergreen Way SE between Quincy Ave. SE and Kersey Way SE. The property is also northwest of the Preliminary Plat of Kersey 3 Div. 2; south of the Preliminary Plat of Lakeland Hills Estates; and southwest of Kersey Way SE. at 49th St. SE.

LEAD AGENCY: City of Auburn Department of Planning, Building & Community (PB&C)
Contact: Karen Scharer, Senior Planner, Phone # 253-931-3090 or
E-mail at kscharer@auburnwa.gov

THRESHOLD DETERMINATION: The responsible official finds that the above described proposal does not pose a probable significant adverse impact to the environment. This finding is made pursuant to RCW 43.21C, ACC 16.06 and WAC 197-11 after reviewing the environmental checklist, other information on file with the lead agency and considering the mitigation measure which the agency and applicant will implement as part of the proposal. This information is available to the public on request.

MITIGATION LIST: The following mitigation measures under this MDNS shall be attached conditions of plat approval. These mitigation measures are consistent with policies, plans, rules, regulations designated by the Auburn City Code (ACC) and State Department of Ecology (DOE) guidelines. Consistency with plans and guidelines are the basis for the exercise of substantive authority and mitigation under this threshold determination when issued. Key sources of substantive authority for the mitigation measures are found in the staff evaluation. Other sources of substantive authority may exist but are not expressly listed.

1. To assure slope stability at the time of site development, geotechnical engineering is necessary. The applicant shall comply with the recommendations contained in the Geotechnical Engineering Study dated March 30, 2007 and Addendum dated April 4, 2008, prepared by Geotech Consultants, Inc.; policy mandates of the Auburn Comprehensive Plan; and Critical Areas Chapter, ACC 16.10 by having a licensed geotechnical engineer sign and stamp civil plans for site development permits (including, but not limited to grading, facility extension and building permits for retaining walls).

All other recommendations contained in the Geotechnical Engineering Study shall be made conditions of project/permit approvals for plat development. For example, a qualified geotechnical representative shall be present during the site clearing and grading; and a qualified geotechnical representative shall conduct frequent density tests as structural fill is being placed and compacted.

2. To mitigate for aesthetic and wildlife impacts and support slope stability, due to the removal of significant trees and creation of steep slopes, a revegetation plan shall be prepared meeting the minimum "Best Management Practices" per Washington State Department of Ecology guidance for planting native vegetation on steep slopes. The plan shall be prepared by a plant biologist (or other professional with equivalent degree) and geotechnical engineer.

Final revegetation of slopes graded to 40% (2.5:1 ratio) or greater shall conform to the revegetation plan. Planting shall be completed prior to final plat approval. A financial guarantee shall be posted for three years to assure maintenance, survival and replacement of vegetation.

RESPONSIBLE OFFICIAL:

POSITION/TITLE:

ADDRESS:

Cindy Baker

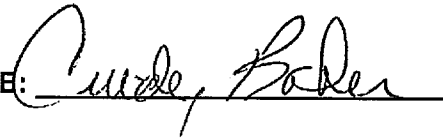
Director of Planning, Building and Community

25 West Main Street, Auburn, WA 98001

Phone: 253-931-3090

DATE ISSUED: October 30, 2009

SIGNATURE:



The threshold determination does not constitute approval of the proposal. Approval of the proposal can only be made by the legislative or administrative body vested with that authority. The proposal will be required to meet all applicable regulations.

COMMENTS: Should you wish to have comments considered regarding this MDNS, comments may be submitted to PB&C within 14 from the date issued and prior to 5:00 p.m. on November 13, 2009.

APPEALS: Any person aggrieved by this MDNS may file an appeal to the Auburn City Clerk within 21 days from the close of the comment period. The appeal must be filed at the address listed above prior to 5:00 p.m. on December 4, 2009 and be accompanied with the required filing fee payable to the City of Auburn.

Rupert Engineering, Inc.

CONSULTING ENGINEERS/CIVIL AND STRUCTURAL

Dennis Selle
City Engineer
City of Auburn
25 West Main Street
Auburn, WA 98001

August 13, 2009

**RE: Road Standard Deviation Request
Design Speed and Road Grade
Forest Glen at Lakeland**

REF: (1) City of Auburn Letter from E. Chamberlain to D. Dormier, Dated Oct. 15, 2007
(2) City of Auburn Letter from E. Chamberlain to D. Dormier, Dated Jan. 9, 2008
(3) City of Auburn Letter from Karen Scharer to D. Dormier, Dated Jan 29, 2009

This road standard deviation request letter is to allow for 155 feet of 53rd St. SE to be at a grade of 8.2%, 170 linear feet of 54th St. SE to be at a grade of 8%, and the low-speed curve L intersection on 53rd St. SE to have a road centerline radius of 100 feet.

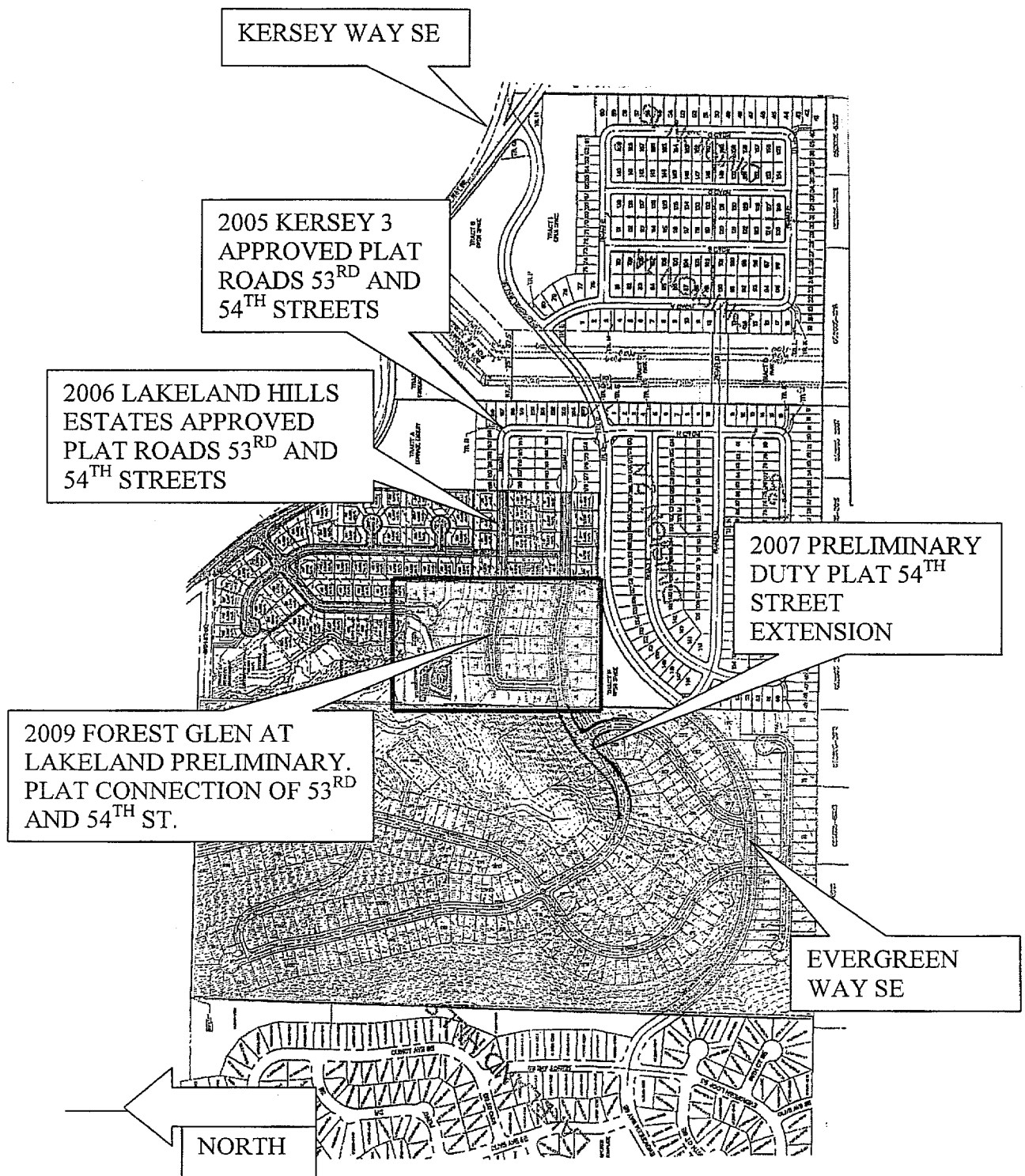
HISTORY OF AREA DEVELOPMENT

This deviation request is being requested because of the conditions placed on the Preliminary Plat of Forest Glen at Lakeland by the City of Auburn development surrounding the site. In the reference 1 letter regarding 2nd review comments, Joe Welsh wrote the following:

The proposed 53rd Street SE as shown on the site plan exceeds the maximum length of 600 feet. City staff would not support a deviation for the proposed 53rd Street SE in light of the added length of the total road combined with the number of additional residential units (of Kersey 3 Division 2A, Lakeland Hills Estates plus Forest Glen at Lakeland) exceeds an acceptable deviation request. To address these issues and allow for extension of public utilities, staff recommends extending 54th Street SE as a public road to the west and north to reconnect to the Duty Road and create a loop.

The City Standard that Forest Glen at Lakeland is working to maintain and fix is City of Auburn Design Standard 10.02.5.2 Cul-de-sacs which states:

10.02.5.2 Cul-de-sacs - ... Dead-end streets shall not be more than six hundred feet (600') in length, unless the city determines that due to topography or existing development patterns there are no feasible alternatives and emergency services can be effectively provided. Dead end streets ending in permanent cul-de-sacs shall serve a maximum 25 dwelling units. Existing stub-end streets that are greater than eight-hundred feet (800') in length shall be linked to other streets whenever the opportunity arises, unless it can be demonstrated that such connections would lead to a substantial rerouting of through traffic onto the street.



FOREST GLEN AT LAKELAND IN RED BOX IN THE
CENTER OF LAKELAND AREA PLAT DEVELOPMENTS
HISTORY OF ROAD APPROVALS BY CITY
FIGURE 1

The preliminary plat of Forest Glen at Lakeland is asking for a deviation on grade. It is easiest to understand by viewing figure 1 map of the Lakeland area developments Forest Glen at Lakeland is in the center of everything and is very limited in size and scope to the other plat developments to fix and maintain maximum design standard grade.

2005 Kersey 3 - was given plat approval with what is now 53rd Street and 54th Street off of a single dead-ending entrance off of Evergreen Way SE with 32 homes with a dead-end length that is 600 feet long. This approved road alignment does not meet the City of Auburn Design Standard 10.02.5.2 Cul-de-sacs because there were more than 25 dwelling units on a single dead end entrance road.

2006 Lakeland Hills Estates – was given plat approval to extend 53rd Street and 54th Street increasing the total number of homes being served by a single entrance dead-ending road off of Kersey Way to a total of 51 homes with a road length of 1,000 feet. So this approval of Lakeland Hills Estates violated City of Auburn Design Standard 10.02.5.2 Cul-de-sacs in combination with the previous 2005 Kersey 3 approval in three ways as follows:

- 51 dwelling units are allowed to be served by a dead-end street when only 25 is allowed
- 1,000 foot long dead end street length is allowed when the maximum length is 600'
- Stub-end streets greater than 800 feet in length require a link to other streets. No link road is provided for on the approved plats.

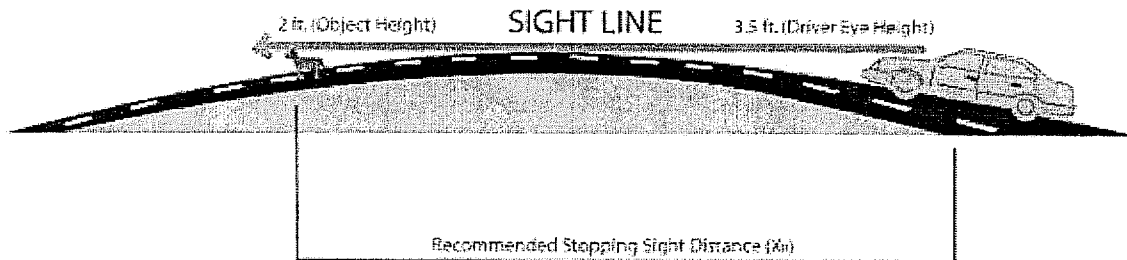
2007 Duty Plat – In 2007 the City of Auburn informed Forest Glen at Lakeland that the Duty plat was not going to be required to extend both 53rd Street SE and 54th Street SE to Kersey 3 as the City of Auburn had originally envisioned during the Preliminary Plat approval of Kersey 3 in 2005 and Lakeland Hills Estates in 2006. With the City of Auburn's approval to only require the preliminary plat of Duty to extend only one street left the originally approved plat roads of 53rd Street SE and 54th Street SE in violation of City of Auburn Design Standard 10.02.5.2 Cul-de-sacs as stated above.

2009 Forest Glen at Lakeland

With the City of Auburn's approval to allow the preliminary plat of Duty to connect to only 54th Street SE, left the originally approved plat road of 53rd Street SE in violation of City of Auburn Design Standard 10.02.5.2 Cul-de-sacs as stated above. Accordingly, in Reference 2 letter city staff agreed to support connecting roads 53rd Street SE and 54th Street SE (roads A & B in letter) in the preliminary plat of Forest Glen at Lakeland to create a loop and thus eliminating the code violation of dead ending 53rd Street SE. Reference 2 requested our submittal of a formal deviation request to connect these two roads. In this Preliminary Plat submittal we believe we have designed the best fix possible based on the site physical constraints, existing site grade limitations, limitations based on current road grades on Lakeland Hills Estates, and providing a good match up point for the preliminary Duty Plat.

Posted Road Speed

The City of Auburn standard Posted Speed for a Residential road is 25 mph. Based on the posted speed of 25 mph the sight distance design speed is 30 mph. Using the Washington State Department of Transportation Design Manual Site Distance equations in Figure 650-4 for Crest Vertical Curves and figure 650-5 for Sag Vertical Curves the small plat width of Forest Glen at Lakeland is able to accommodate the required sight distance for a 30 mph design speed.



CREST VERTICAL CURVE STOPPING SIGHT DISTANCE

By using the Washington State Department of Transportation Design Manual Site Distance equations in Figure 650-4 for Crest Vertical Curves and figure 650-5 for Sag Vertical Curves the vertical grades of the roads are directly factored into the required stopping sight distance to ensure proper design.

Attached to this letter are all the calculations for the crest and sag vertical curves used in the Forest Glen at Lakeland development for the connection of 53rd Street SE to 54th Street SE.



Road Grades

The approved preliminary plat of Lakeland Hills Estates was designed with a 40.52 foot grade elevation difference between 53rd Street SE and 54th Street SE as these two roads enter the east property boundary of Forest Glen at Lakeland. 53rd Street SE from Lakeland Hills Estates enters into Forest Glen at a downward grade of 7.5%, and 54th Street SE enters at an upward positive grade of 2%. Given these difficult road interface conditions we believe that we have developed a safe road system that meets the American Association of State Highway and Transportation Officials (AASHTO) standards of practice for road designs.

For 53rd Street SE the road starts out as a long sag curve of 495 feet from a negative grade of 7.5% to a positive grade of 8.2%. 80 percent of this sag curve has less than a 6% grade slope. Then for 155 feet the road will slope at a grade of 8.2%. After the 8.2% grade the road levels off to 5% and then to 3% at the intersection approach with 54th Street SE.

For 54th Street SE the road starts out as a 170 foot vertical crest curve from a positive 2% grade to a negative 8% grade. For 170 feet the road slopes downward at an 8% grade,

where it transitions to a grade of 5% through the intersection with 53rd Street SE. After the intersection with 53rd Street SE the road begins into a 240 foot long sag vertical curve to help facilitate future extension of the road on the preliminary Duty Plat.

53rd St. SE L-Intersection (low-speed Curve)

A low-speed curve at an L-intersection is a common street design element in the local residential streets of Lakeland and Kersey 3. The King County Road Design and Construction Standards 2007 manual section 2.10 Intersections and Low-Speed Curves allows a minimum centerline radius for a 2-lane road to be 55 feet. The 2005 Kersey 3 plat divisions 1 and 2 have six (6) low-speed L-intersection curves with a centerline radius of 44 feet. Lakeland Hills has over twenty two (22) Low-speed L-intersection curves spread throughout its approved development. Low-speed L-intersection is a commonly approved road element in the City of Auburn.

The deviation request is being made for the low-speed curve at the L-intersection on 53rd St. SE. The King County Road Standard for a low-speed curve centerline radius is 55 feet. Forest Glen at Lakeland is providing a low-speed L-intersection curvature centerline radius of 100 feet, but less than the 375 foot geometric road curvature list in City of Auburn table 10-1 for a local residential street. The increase to a 100 foot centerline radius for the low-speed L-intersection will create a smother safer intersection turning transition for both the car and driver.

Conclusion

Based on the American Association of States Highway and Transportation Officials (AASHTO) – A Policy on Geometric Design of Highways and Streets 2001 the maximum grade allowed for the streets in the Forest Glen at Lakewood at a 30 mph design speed is 14%. This maximum grade limit is determined by the fact that the maximum grades on Forest Glen at Lakewood streets are less than 500 feet in length which allows a 2 percent steeper grade than what is shown on the chart below.

MAXIMUM GRADES FOR URBAN COLLECTORS

	Metric									US Customary								
	Maximum grade (%) for specified design speed (km/h)									Maximum grade (%) for specified design speed (mph)								
Type of terrain	30	40	50	60	70	80	90	100	20	25	30	35	40	45	50	55	60	
Level	9	9	9	9	8	7	7	6	9	9	9	9	9	8	7	7	6	
Rolling	12	12	11	10	9	8	8	7	12	12	11	10	10	9	8	8	7	
Mountainous	14	13	12	12	11	10	10	9	14	13	12	12	12	11	10	10	9	

Note: Short lengths of grade in urban areas, such as grades less than 150 m [500 ft] in length, one-way downgrades, and grades on low-volume urban collectors may be up to 2 percent steeper than the grades shown above.

AMERICAN ASSOCIATION OF STATES HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) – A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS 2001 – MAXIMUM GRADES FOR URBAN COLLECTORS TABLE.

which allows a 2 percent steeper grade than what is shown on the chart below.

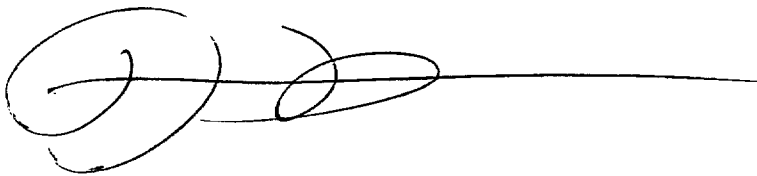
Therefore the Road grades on Forest Glen at Lakeland of 8.2% for 155 feet and 8% for 170 feet are well within the standards of design for Urban streets as set forth in the policies of AASHTO.

If the road layouts on Forest Glen at Lakeland are not approved, the City of Auburn will be left with Kersey 3 and Lakeland Hills Estates approved non-conforming Design Standard 10.02.5.2 Cul-de-sacs with the following existing conditions:

- 51 dwelling units are allowed to be served by a single dead-end entrance street off of Evergreen Way when only 25 is allowed
- 1,000 foot long dead end street length when the maximum length is 600'
- Stub-end streets greater than 800 feet in length are require a link to other streets, yet a link is not being required to be provided on Lakeland Hills Estates current FAC 07-0016 permit plans.

The increase to a 100 foot centerline radius for the low-speed L-intersection on 53rd St SE will create a smother, safer intersection turning transition for both the car and driver. Combine this increased intersection curvature with the neighborhood traffic calming traffic circles the City of Auburn requested in the reference 3 comment letter which will likely have an impact on speed reduction. The combined road deviations and improvements Forest Glen at Lakeland is providing will provide a complete residential road system that improves the livability and safety in the whole residential environment of Kersey 3, Lakeland Estates, Preliminary Duty plat.



Rupert Engineering Inc.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

Dave Dormier, PE

VERTICAL CURVE

GRADE 1 %	-7.5
GRADE 2 %	8.20
ALGEBRAIC GRADE DIFF.	15.00356

	CHART	EQUAT		CHART	EQUAT
Ks	30		Ks	36	
VCL			VCL		
S<L	236	USE LENGTH	S<L	494	USE LENGTH
S>L	223	NO	S>L	294	NO

CURVE FINISH GRADE ELEVATIONS				DIST		STA	
STA	ELEV	AVE STA	SLOPE	HIGH POINT	LOW POINT		
0+00.00	904.78					236.5167	298

Dropout Speed (m/s)	Stopping Sight Distance (m)				
	Base	Base + 10%	Base + 20%	Base + 30%	Ultimate
25	155	166	172	147	143
30	205	216	227	190	184
35	255	271	283	237	225
40	315	333	346	290	275
45	375	401	422	346	321
50	445	474	501	405	376
55	525	563	594	470	435
60	615	658	697	539	511
65	715	765	812	612	585
70	825	882	936	692	661
75	945	1004	1074	776	745
80	1075	1135	1204	862	825
85	1215	1275	1345	950	915
90	1365	1425	1495	1040	1005

Design Stopping Sight Distance on Grades

STA H&L	236.5167	236.51673	387.89

RD SLOPE 0.081966		
5% RD	647.98	411.02
3% RD	672.98	412.27
INTER	698.21	413.03

54th ST SE CREST CURVE

VERTICAL CURVE

DESIGN SPEED	30	h1 (FT)	3.5
STOPPING DISTANCE	222	h2 (FT)	2
MIN CURVE LENGTH	90	DECEL RATE	11.2
REACTION TIME	2.5		

GRADE 1 %	2
GRADE 2 %	-8
ALGEBRAIC GRADE DIFF.	10

CURVE LENGTH SITE DISTANCE CALC FOR CREST CURVES			
K _c	CHART	EQUAT	
VCL S<L	30		
VCL S>L	229	229	419
			327

CURVE LENGTH SITE DISTANCE CALC FOR SAG CURVES			
K _s	CHART	EQUAT	
VCL S<L	36		
VCL S>L	229	229	419
			327

CURVE LENGTH	STA 1	STA 2	FT/FT	GRADE 1	GRADE 2	ELEV 1	ELEV 2	STAPVI	ELEV PVI	"R"
230	0	0.02	437.28	0.02	-0.08	437.28	430.33	419	430.33	11.2

CURVE FINISH GRADE ELEVATIONS			
STA	DIST	ELEV	
STA	0	437.28	
STA	50	437.74	
STA	100	437.11	
STA	150	435.39	
STA	200	432.58	
STA	250	428.69	
STA	300	423.71	
STA	350	417.65	
STA H&L	46	437.74	

STA	DIST	ELEV	
250	428.78		
300	424.78		
350	420.78		
400	416.78		

DIST	STA
46	46

Design Speed (mph)	Stopping Sight Distance (ft)	K _c	K _s	VCL _{min} (ft)
25	157	18	35	75
30	201	30	36	93
35	250	47	48	126
40	305	70	63	150
45	366	98	78	166
50	434	136	94	180
55	509	184	115	196
60	592	244	136	210
65	685	313	157	226
70	792	401	180	240
75	912	508	208	256
80	1047	634	234	270

Design Stopping Sight Distance Figure 450-1

Stopping Sight Distance (ft)			
Design Speed (mph)	Downgrade	Level	Upgrade
25	157	157	157
30	201	201	201
35	250	250	250
40	305	305	305
45	366	366	366
50	434	434	434
55	509	509	509
60	592	592	592
65	685	685	685
70	792	792	792
75	912	912	912
80	1047	1047	1047

Design Stopping Sight Distance on Grades Figure 450-2

54th ST SE SAG CURVE

VERTICAL CURVE

DESIGN SPEED	30
STOPPING DISTANCE	211
MIN CURVE LENGTH	90
REACTION TIME	2.5

h1 (FT)	3.5
h2 (FT)	2
DECEL RATE	11.2

GRADE 1 %	-8
GRADE 2 %	-5
ALGEBRAIC GRADE DIFF.	3

CURVE LENGTH SITE DISTANCE CALC FOR CREST CURVES

Kc	CHART	EQUAT
VCL S<L	30	62
VCL S>L	-297	117

CURVE LENGTH SITE DISTANCE CALC FOR SAG CURVES

Ks	CHART	EQUAT
VCL S<L	36	117
VCL S>L	42	42

Design Speed (mph)	Stopping Sight Distance (ft)	Kc	Ks	VCL _{min} (ft)
25	122	12	25	75
30	202	30	38	90
35	282	47	49	105
40	365	70	63	120
45	450	98	78	136
50	536	136	96	150
55	625	184	115	165
60	713	244	130	180
65	805	313	157	196
70	895	401	180	210
75	985	506	200	226
80	1075	623	251	240

Design Stopping Sight Distance
Figure 650-1

CURVE LENGTH	STA 1	GRADE 1	ELEV 1	STA 2	GRADE 2	ELEV 2	STA PVI	ELEV PVI	"R"
42	404.05	-0.08	416.456	446.05	-0.05	413.73	425.05	414.776	0.00073129

CURVE FINISH GRADE ELEVATIONS

STA	STA	DIST	ELEV
420	415.27		
470	412.73		
520	411.98		
570	413.02		
620	415.84		
426.14	414.86		
425.05	414.93		
446.05	413.73		
516.05	411.98		

HIGH POINT
LOW POINT

DIST 112 STA 516.05

Design Speed (mph)	Stopping Sight Distance (ft)			
	Downgrade	Upgrade	3%	5%
25	122	166	173	147
30	202	216	237	190
35	282	271	283	232
40	315	333	354	280
45	373	401	425	331
50	447	474	503	405
55	520	563	594	470
60	595	638	637	530
65	683	720	733	612
70	772	802	802	683
75	867	926	1004	773
80	966	1037	1123	881

Design Stopping Sight
Distance on Grades
Figure 650-2

STA 450	413.5285
STA 460	413.0285
STA 460.05	413.026

54th ST SE SAG 2 CURVE

VERTICAL CURVE

DESIGN SPEED	30
STOPPING DISTANCE	192
MIN CURVE LENGTH	90
REACTION TIME	2.5

h1 (FT)	3.5
h2 (FT)	2
DECEL RATE	11.2

GRADE 1 %	-5
GRADE 2 %	2
ALGEBRAIC GRADE DIFF.	7

CURVE LENGTH SITE DISTANCE CALC
FOR CREST CURVES

Kc	30	CHART	EQUAT
VCL S<L	119 NO		
VCL S>L	75 USE LENGTH		

CURVE LENGTH SITE DISTANCE CALC
FOR SAG CURVES

Ks	36	CHART	EQUAT
VCL S<L	240 USE LENGTH		
VCL S>L	231 NO		

Design Speed (mph)	Design Stopping Sight Distance (ft)	Kc	Ks	VCL _{min} (ft)
25	155	13	25	75
30	200	30	36	90
35	245	47	49	105
40	301	70	63	120
45	360	92	78	136
50	425	124	98	150
55	495	134	115	165
60	570	144	136	180
65	645	155	157	195
70	730	160	180	210
75	820	206	206	226
80	910	231	231	240

Design Stopping Sight Distance
Figure 650-1

CURVE LENGTH	STA 1	STA 2	ELEV 1	ELEV 2	STA PVI	ELEV PVI	"R"
240	460	413.03	-0.05	409.43	530	407.03	0.00023167

CURVE FINISH GRADE ELEVATIONS

STA	STA	DIST	ELEV
500	500	40	411.26
550	550	90	409.71
474.05	474.05	14.05	412.36
460.05	460.05	0.05	413.03
510.05	510.05	50.05	410.89
580	580	120	409.13
510	510	50	410.89
532.52	532.52	72.52	410.17
631.4286	631.4286	171.4286	408.74

HIGH POINT	171.42857	STA	631.4285714
LOW POINT			

Design Speed (mph)	Stopping Sight Distance (ft)			
	Downgrade	Upgrade	Downgrade	Upgrade
25	159	166	173	147
30	205	216	227	194
35	252	271	285	237
40	310	333	354	280
45	375	401	423	346
50	447	474	505	405
55	530	568	604	470
60	622	638	687	530
65	720	720	763	612
70	826	826	860	693
75	939	939	1004	773
80	1053	1053	1125	860

Design Stopping Sight
Distance on Grades
Figure 650-2

Table 4.3 (CONTINUED)

MAXIMUM GRADES FOR URBAN COLLECTORS

Type of terrain	Metric									US Customary								
	Maximum grade (%) for specified design speed (km/h)									Maximum grade (%) for specified design speed (mph)								
	30	40	50	60	70	80	90	100	20	25	30	35	40	45	50	55	60	
Level	9	9	9	9	8	7	7	6	9	9	9	9	9	8	7	7	6	
Rolling	12	12	11	10	9	8	8	7	12	12	11	10	10	9	8	8	7	
Mountainous	14	13	12	12	11	10	10	9	14	13	12	12	12	11	10	10	9	

Note: Short lengths of grade in urban areas, such as grades less than 150 m [500 ft] in length, one-way downgrades, and grades on low-volume urban collectors may be up to 2 percent steeper than the grades shown above.

MAXIMUM GRADES FOR RURAL COLLECTORS

Type of terrain	Metric								US Customary								
	Maximum grade (%) for specified design speed (km/h)								Maximum grade (%) for specified design speed (mph)								
	30	40	50	60	70	80	90	100	20	25	30	35	40	45	50	55	60
Level	7	7	7	7	7	6	6	5	7	7	7	7	7	7	6	6	5
Rolling	10	10	9	8	8	7	7	6	10	10	9	9	8	8	7	7	6
Mountainous	12	11	10	10	10	9	9	8	12	11	10	10	10	10	9	9	8

Note: Short lengths of grade in rural areas, such as grades less than 150 m [500 ft] in length, one-way downgrades, and grades on low-volume rural collectors may be up to 2 percent steeper than the grades shown above.

MAXIMUM GRADES FOR LOCAL RURAL ROADS

Type of terrain	Metric									US Customary								
	Maximum grade (%) for specified design speed (km/h)									Maximum grade (%) for specified design speed (mph)								
	20	30	40	50	60	70	80	90	100	15	20	25	30	40	45	50	55	60
Level	9	8	7	7	7	7	6	6	5	9	8	7	7	7	7	6	6	5
Rolling	12	11	11	10	10	9	8	7	6	12	11	11	10	10	9	8	7	6
Mountainous	17	16	15	14	13	12	10	10	-	17	16	15	14	13	12	10	10	-

GRADES FOR LOCAL URBAN STREETS

Grades for local residential streets should be as level as practical, consistent with the surrounding terrain. The gradient for local streets should be less than 15 percent. Where grades of 4 percent or steeper are necessary, the drainage design may become critical. On such grades special care should be taken to prevent erosion on slopes and open drainage facilities.

For streets in commercial and industrial areas, gradient design desirably should be less than 8 percent, grades should desirably be less than 5 percent, and flatter grades should be encouraged.

To provide for proper drainage, the desirable minimum grade for streets with outer curbs should be 0.30 percent, but a minimum grade of 0.20 percent may be used.

For stopping sight distances on grades between those listed, interpolate between the values given or use the equation in Figure 650-3.

$$S = 1.47Vt + \frac{V^2}{30 \left[\left(\frac{a}{32.2} \right) \pm \frac{G}{100} \right]}$$

Where:
 S = Stopping sight distance on grade (ft)
 V = Design speed (mph)
 t = Perception/reaction time (2.5 sec)
 a = Deceleration rate (11.2 ft/sec²)
 G = Grade (%)

Stopping Sight Distance on Grades
Figure 650-3

(3) Crest Vertical Curves

Use Figure 650-11 or the equations in Figure 650-4 to find the minimum crest vertical curve length to provide stopping sight distance when given the algebraic difference in grades. When using the equations in Figure 650-4, use $h_1=3.50$ feet and $h_2=0.50$ foot. Figure 650-11 does not use the sight distance greater than the length of curve equation. When the sight distance is greater than the length of curve and the length of curve is critical, the $S>L$ equation given in Figure 650-4 may be used to find the minimum curve length.

When a new crest vertical curve is built or an existing one is rebuilt with grades less than 3%, provide Design Stopping Sight Distance from Figure 650-1. When grades are 3% or greater, see 650.04(2) for required sight distance.

In urban design areas, with justification, an object height (h_2) of 2.00 feet may be used with the equations in Figure 650-4.

When evaluating an existing roadway, see 650.04(7).

When $S>L$	
$L = 2S - \frac{200(\sqrt{h_1} + \sqrt{h_2})^2}{A}$	$S = \frac{L}{2} + \frac{100(\sqrt{h_1} + \sqrt{h_2})^2}{A}$
When $S<L$	
$L = \frac{AS^2}{200(\sqrt{h_1} + \sqrt{h_2})^2}$	$S = \sqrt{\frac{200L(\sqrt{h_1} + \sqrt{h_2})^2}{A}}$
Where: L = Length of vertical curve (ft) S = Sight distance (ft) A = Algebraic difference in grades (%) h_1 = Eye height (3.50 ft) h_2 = Object height—see text (ft)	

Sight Distance, Crest Vertical Curve
Figure 650-4

(4) Sag Vertical Curves

Sag vertical curves are only a sight restriction during the hours of darkness. Headlight sight distance is used for the sight distance design criteria at sag vertical curves. In some cases, a lesser length may be allowed. (See Chapter 630 for guidance and requirements.)

Use Figure 650-12 or the equations in Figure 650-5 to find the minimum length for a sag vertical curve to provide the headlight stopping sight distance when given the algebraic difference in grades. The sight distance greater than the length of curve equation is not used in Figure 650-12. When the sight distance is greater than the length of curve and the length of curve is critical, the $S>L$ equation given in Figure 650-5 may be used to find the minimum length of curve.

When a new sag vertical curve is built or an existing one is rebuilt with grades less than 3%, provide Design Stopping Sight Distance from Figure 650-1. When grades are 3% or greater, see 650.04(2) for required sight distance.

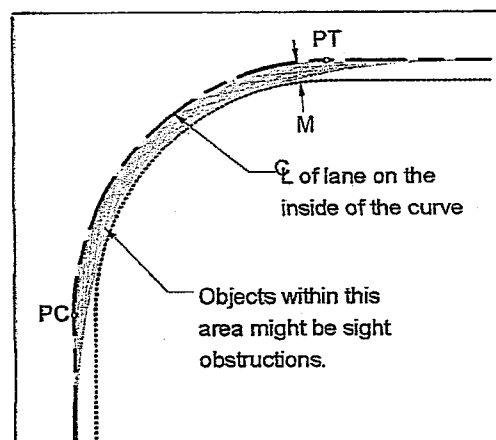
When evaluating an existing roadway, see 650.04(7).

Where $S > L$	
$L = 2S - \frac{400 + 3.5S}{A}$	$S = \frac{LA + 400}{2A - 3.5}$
Where $S < L$	
$L = \frac{AS^2}{400 + 3.5S}$	$S = \frac{3.5L \pm \sqrt{(3.5L)^2 + 1600AL}}{2A}$
Where:	
L = Curve length (ft)	
A = Algebraic grade difference (%)	
S = Sight distance (ft)	

Sight Distance, Sag Vertical Curve
Figure 650-5

(5) Horizontal Curves

Use Figure 650-13a or the equation in Figure 650-7 to check for adequate stopping sight distance where sight obstructions are on the inside of a curve. A stopping sight distance obstruction is any roadside object within the M distance (such as median barrier, guardrail, bridges, walls, cut slopes, wooded areas, and buildings), 2 feet or greater above the roadway surface at the centerline of the lane on the inside of the curve. Figure 650-13a and the equation in Figure 650-7 are for use when the length of curve is greater than the sight distance and the sight restriction is more than half the sight distance from the end of the curve. When the length of curve is less than the stopping sight distance or the sight restriction is near either end of the curve, the desired sight distance may be available with a lesser M distance. (See Figure 650-6.) When this occurs, the sight distance can be checked graphically.



Sight Distance Area on Horizontal Curves
Figure 650-6

When the road grade is less than 3%, provide Design Stopping Sight Distance from Figure 650-1.

When the grade is 3% or greater, see 650.04(2) for required sight distance.

In urban design areas, with justification, a 2.00-foot object height (h_2) may be used. When $h_2 = 2.00$ feet, roadside objects between 2.00 feet and 2.75 feet might not be a sight obstruction. (See Figure 650-13b for guidance on determining whether a roadside object is a sight obstruction.)

When evaluating an existing roadway, see 650.04(7).

$M = R \left[1 - \cos \left(\frac{28.65 S}{R} \right) \right]$
$S = \frac{R}{28.65} \left[\cos^{-1} \left(\frac{R - M}{R} \right) \right]$
Where:
M = Distance from the centerline of the inside lane of the curve to the sight obstruction (ft)
R = Radius of the curve (ft)
S = Sight distance (ft)

Sight Distance, Horizontal Curves
Figure 650-7

Rupert Engineering, Inc.

CONSULTING ENGINEERS/CIVIL AND STRUCTURAL

Dennis Selle
City Engineer
City of Auburn
25 West Main Street
Auburn, WA 98001

March 18th, 2008

**RE: Water Standard Deviation Request
Per Ben Hennebert Letter comment
Forest Glen at Lakeland**

This standard deviation request letter is being ask for in response to a comment made by Ben Hennebert, with the City of Auburn, in a 2nd review comments letter dated October 15, 2007.

This deviation request is being requested to have a dead in domestic water main on Victoria Ave SE. In an October 15, 2007 letter regarding 2nd review comments, Ben Hennebert wrote the following:

FYI to the Applicant: looping the waterline in the northern most Road A (Victoria Ave SE) is not feasible doe to topographical limitations. The applicant must submit a deviation request for not looping this line. Additional design considerations will be evaluated during the FAC process to offset water quality concerns that can arise in long, dead-end water mains. Such design considerations could include and automatic flushing station (with dechlorination) discharging to the proposed storm pond.

The FYI made by Ben Hennebert is very reasonable since looping of Victoria Ave SE is not feasible do to the topographical limitations.

The water quality issue should not be of concern for the following reasons. The Victoria Ave SE 8" DIP water line will be approximately 760 feet long, and will serve daily domestic water service to 20 single family residential homes. Per the State of Washington Department of Health Water design Manual each home will use 350 gallons per day per residential home annually.

A class 52 cement lined 8" ductile iron pipe on Victoria Avenue will hold the following amount of potable water;

$$760 \text{ ft. (L)} \times 3.14 \times 0.716 \text{ ft (dia)}^2 / 4 = 306 \text{ cu. ft.} \times 7.48 \text{ gal / cu. ft.} = 2,289 \text{ gals.}$$

EXHIBIT 14
PLT06-0008

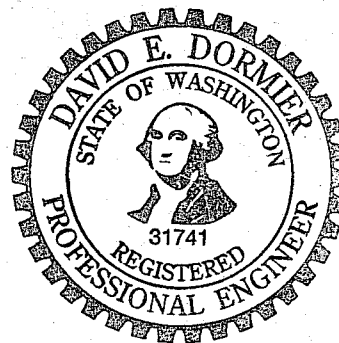
The following table based on standard residential water use shows that the 8 inch line will be drained at a minimum 1.7 times daily during the rainy winter and over 6 times on hot summer days. Water quality should not be a problem for this line.

DAILY EVENT	# OF HOMES	DAILY WATER USE	TOTAL DAILY WATER USE	WATER IN PIPE	# OF TIMES PIPE IS DRAINED DAILY
HEALTH DEPARTMENT STD ERU	20	350 GAL/DAY	7,000 GAL	2,289 GAL	3 TIMES
HOT SUMMER DAY NO RAIN FOR 3 DAYS	20	700 GAL/DAY	14,000 GAL	2,289 GAL	6 TIMES
WINTER OR RAINY DAY	20	200 GAL/DAY	4,000 GAL	2,289 GAL	1.7 TIMES

The owners of Forest Glen at Lakeland are providing this letter to satisfy the City of Auburn's request for its submittal. The design meets all the standards of engineering water distribution main practices. I look forward to your concurrence on this matter.

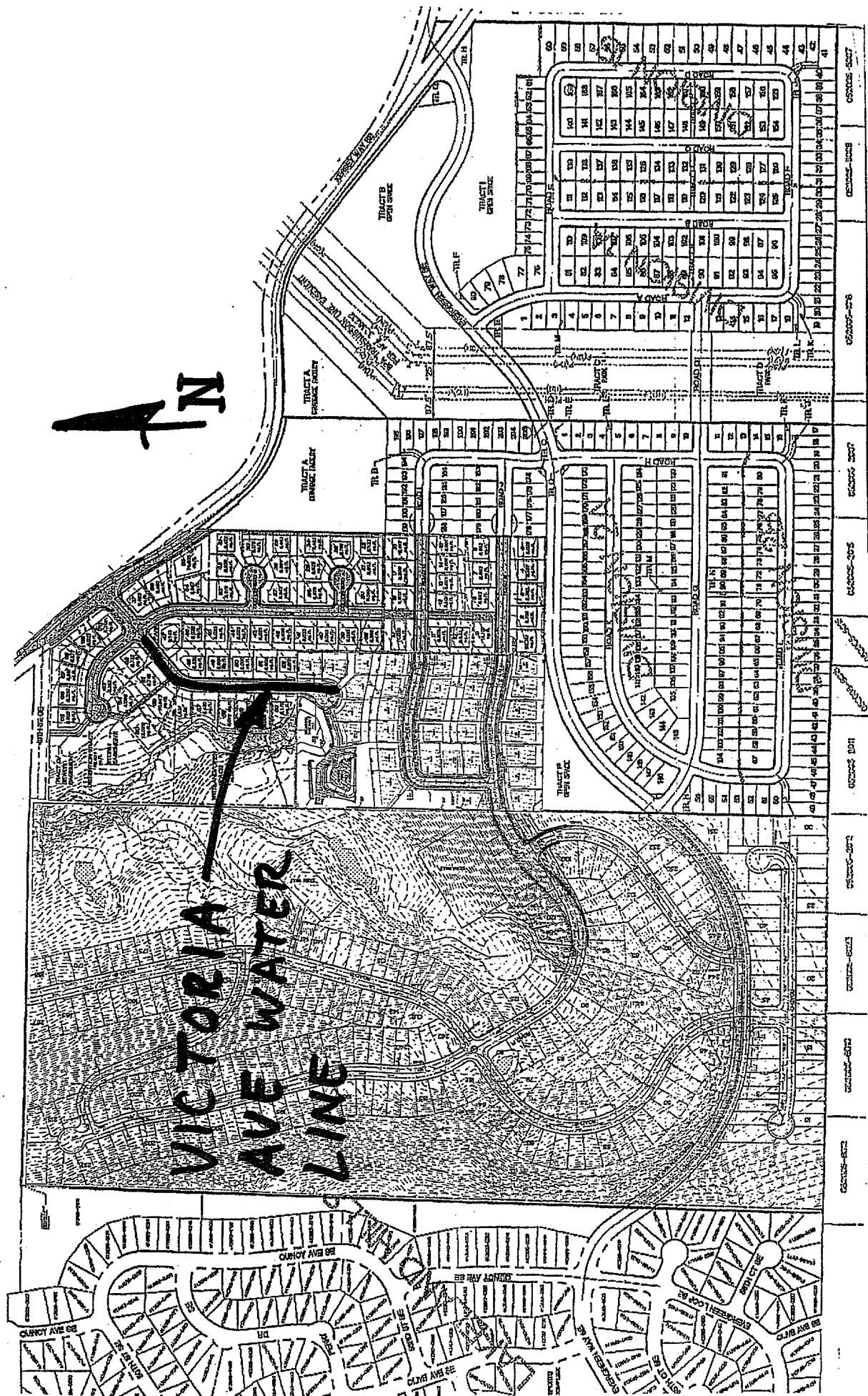
Rupert Engineering Inc.

Dave Dormier, P.E.



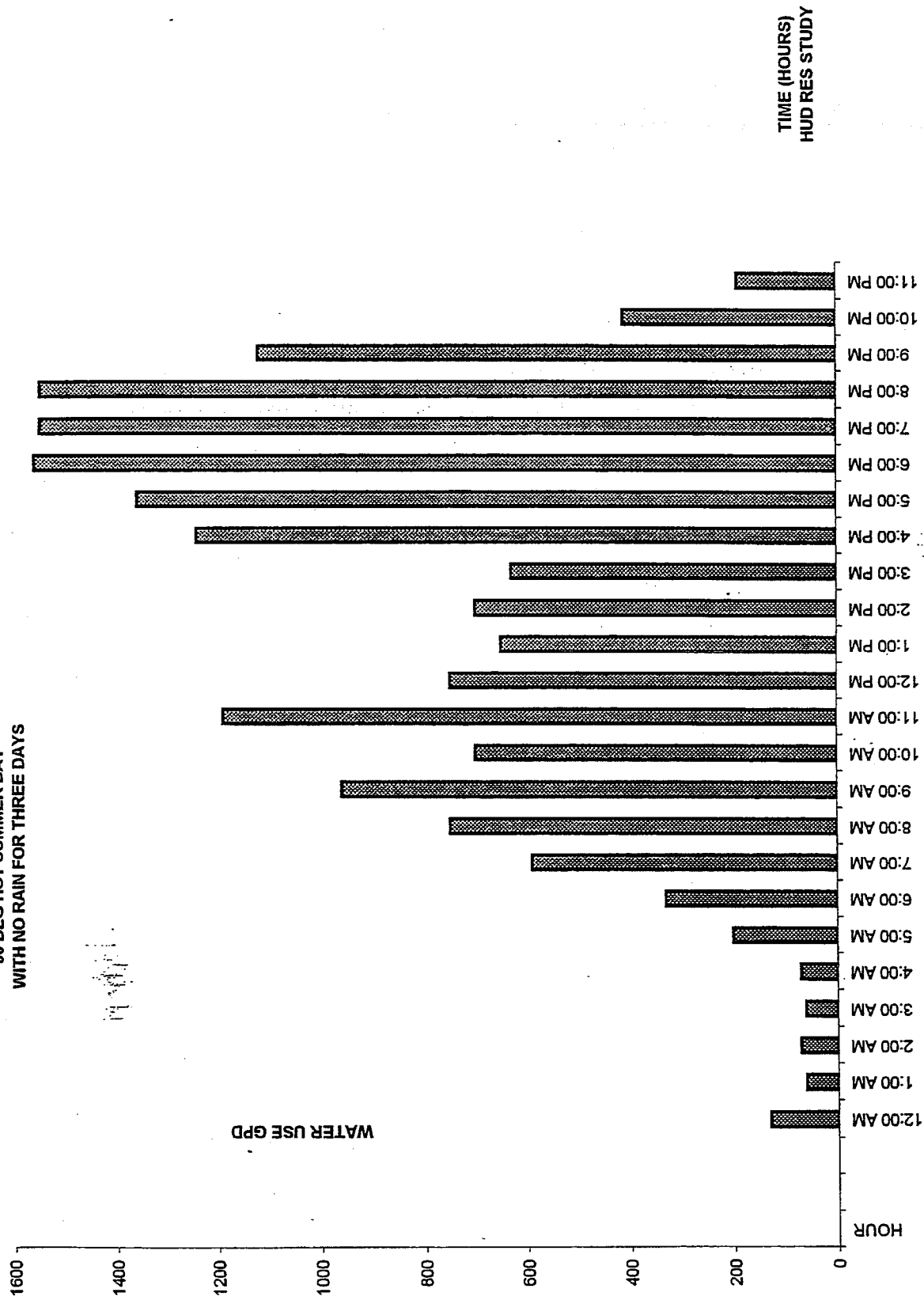
EXPIRES: _____

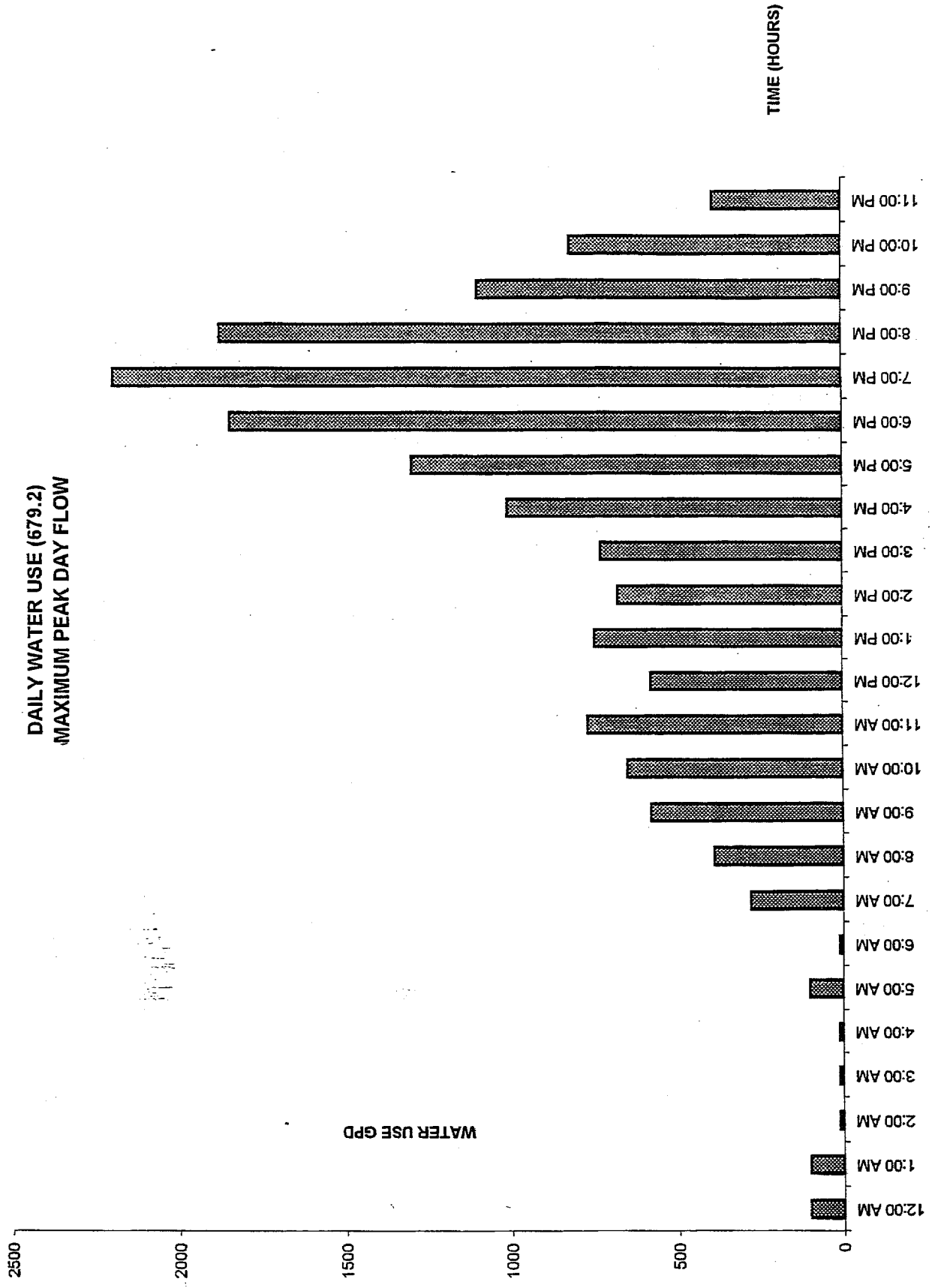
WATER LTR MAP



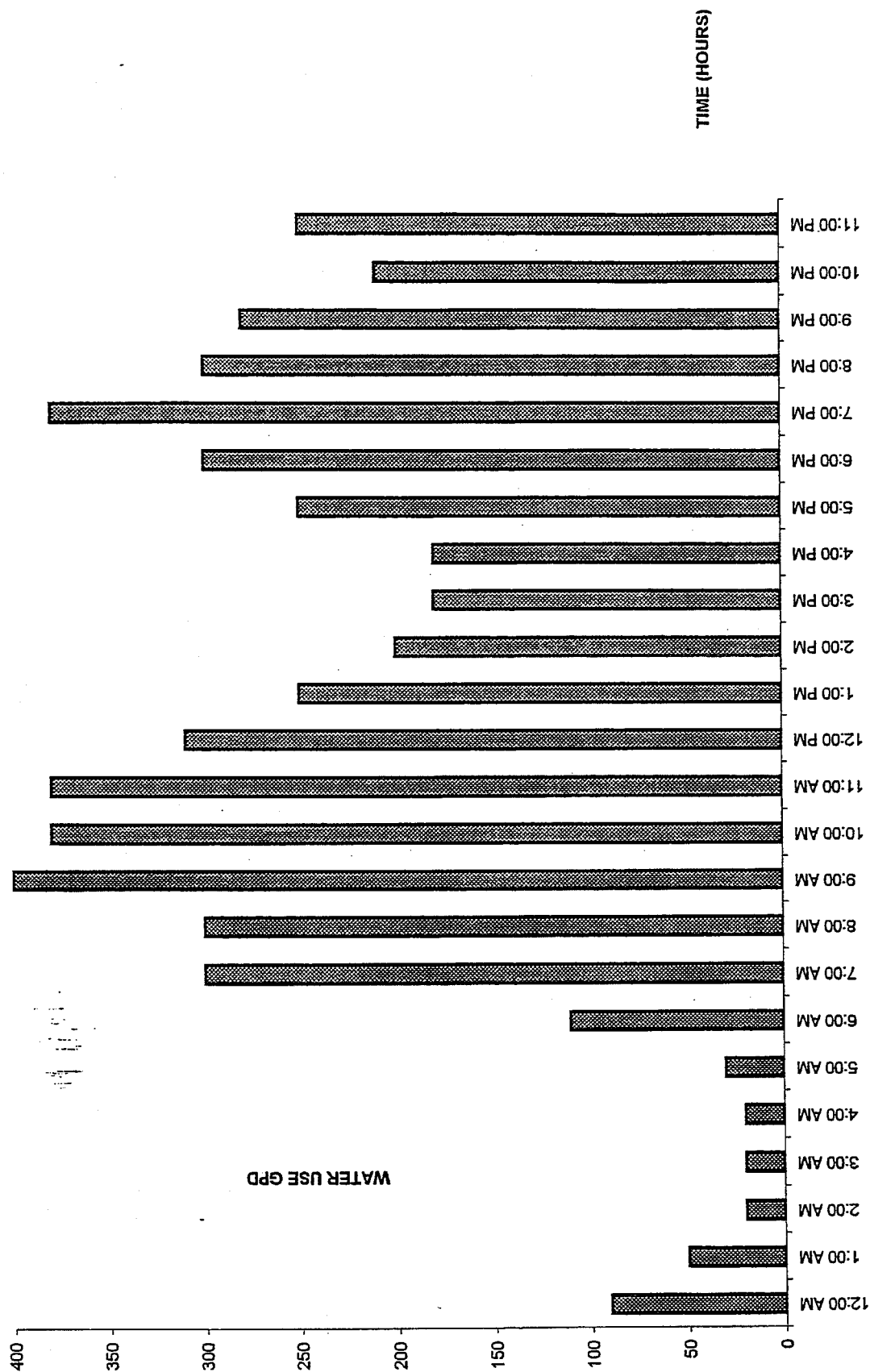
Prepared by DORMIER ENGINEERING 11/29/98

DAILY WATER USE (700.8 GAL)
90 DEG HOT SUMMER DAY
WITH NO RAIN FOR THREE DAYS

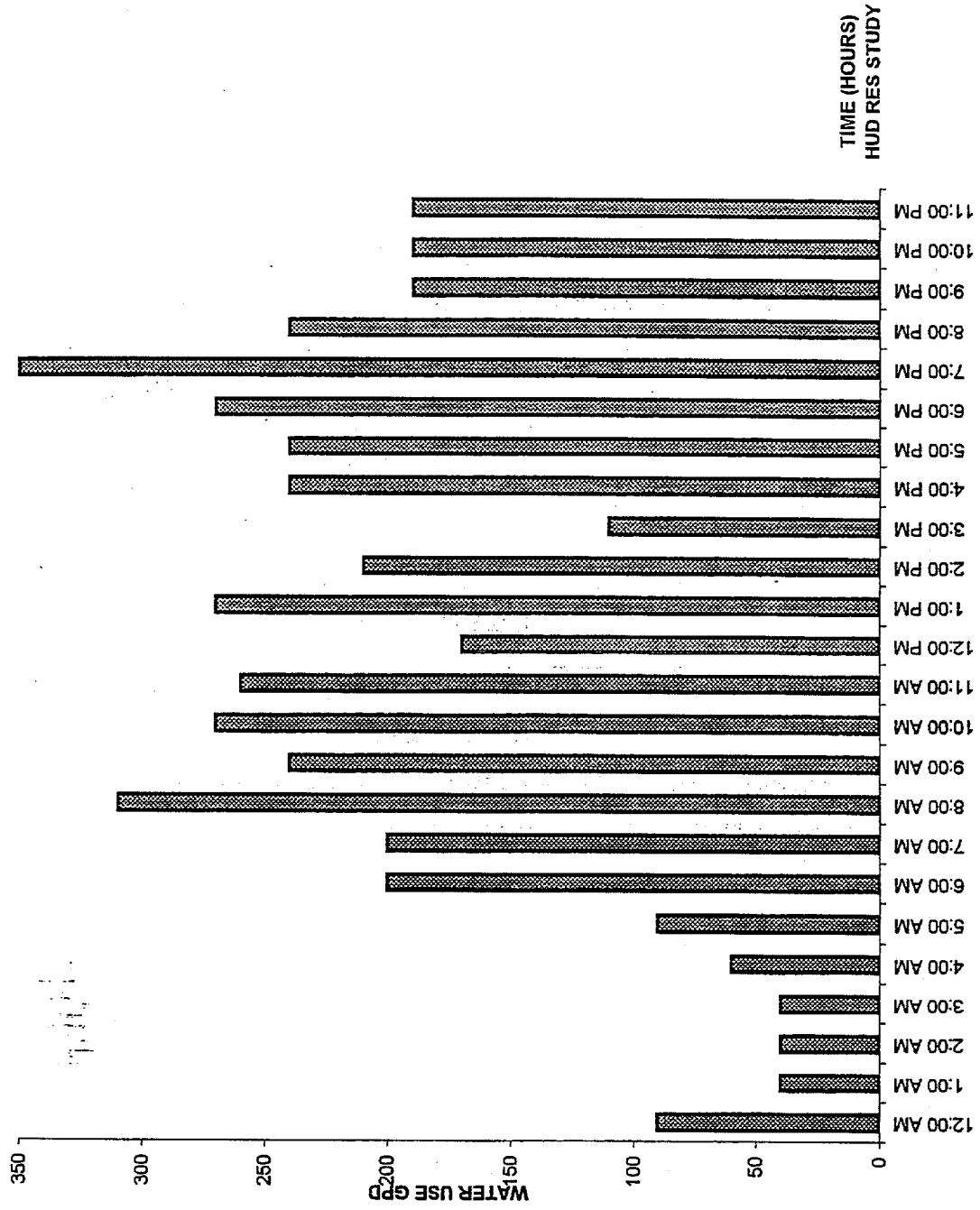




**DAILY WATER USE (216.3)
WINTER OR RAINY DAY**



**DAILY WATER USE (187.9 GAL)
90 DEG. HOT SUMMER DAY WITH RAIN**



Rupert Engineering, Inc.

CONSULTING ENGINEERS/CIVIL AND STRUCTURAL

December 4, 2009

Karen J. Scharer
Senior Planner
City of Auburn
25 West Main Street
Auburn, WA 98001

RE: Request for deviation on 17.12.250.D Corner lots designated for residential uses shall be platted at least five feet wider than required by the zoning ordinance
PLT 06-0008 and SEP 06-0035.

Dear Karen Scharer,

Per 18.12.040 the minimum lot width is 75 feet

18.12.040 Development standards.

Development standards in an R-1 district are as follows:

- A. Minimum lot area: 8,000 square feet;
- B. Minimum lot width: 75 feet;
- C. Minimum lot depth: 100 feet;

Lots 13 & 15 do not comply with the width requirement of 17.12.250 (80 foot width required - 75' + 5') and a modification is needed

17.18.010 Formal subdivisions

A The hearing examiner may approve a modification of any standard or specification established or referenced by Chapter 17.12 ACC upon making the findings of fact in ACC 17.18.030.

B The request for modification shall be processed simultaneously with the preliminary plat and the applicant shall submit the modification on forms provided by the planning department Ord. 6186 15 2008. Ord 4296 2 1988

17.18.030 Findings of fact

- A. Such modification is necessary because of special circumstances related to the size shape topography location or surroundings of the subject property to provide the owner with development rights and privileges permitted to other properties in the vicinity and in the zoning district in which the subject property is located

B.

Based on the alignment of the roads from the Plat of Lakeland Hill Estates and the cross slopes of the site there is no reasonable way to add an additional 5 feet to either lot 13 and 15. Current width of lots 13 and 15 is 75 feet.

EXHIBIT 15
PLT06-0008

B. That because of such special circumstances the development of the property in strict conformity with the provisions of this title will not allow a reasonable and harmonious use of the property

Following the strict conformity of the title would not have allowed for the roads coming out of Lakeland Hills Estates to be matched up and be connected in Forest Glen

C. That the modification if granted will not alter the character of the neighborhood or be detrimental to surrounding properties in which the property is located

The change will not alter the appearance of the neighborhood. The Lots in Forest Glenn are already larger than 90% of all lot in Kersy 3 and Lakeland Hills Estates.

D. Such modification will not be materially detrimental to the implementation of the policies and objectives of the comprehensive land use circulation and utility plans of the city

The road layout shown in Forest Glen is need by the City so that approved roads 53rd and 54th Streets in Kersy 3 and Lakeland Hills Estates will finally conform to City of Auburn safety, circulation and utility codes.

E. Literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district

Yes it would

F. The approval of the modification will be consistent with the purpose of this title

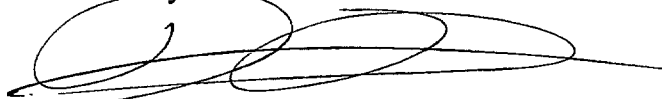
Yes, the plat lots meet all requirements in 18.12.040 Development standards except for the width requirements of 17.12.250 for Lots 13 & 15.

G. The modification cannot lessen the requirements of the zoning ordinance Any such modification must be processed as a variance pursuant to ACC 18.70.010. (Ord 4296, 1988)

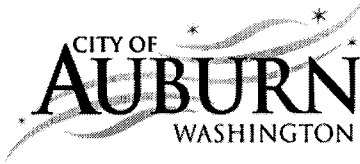
The modification is not lessening in any way the requirements of the zoning ordinance.

If you have any question please call me at (253) 833-7776 or email at ddormier@ruperteng.com.

Sincerely,

A handwritten signature in black ink, appearing to be "Dave Dormier", written over a horizontal line.

Dave Dormier, PE
Rupert Engineering, Inc.



**Forest Glen at Lakeland Preliminary Plat / PLT06-0008
Revised Staff Recommendation**

EXHIBIT 28

City staff recommends approval of the ~~10/25/2009~~11/06/2009 revised Preliminary Plat of Forest Glen at Lakeland (Exhibit 3), subject to the following conditions being satisfied prior to submittal and approval of the Final Plat:

GENERAL

1. ~~Compliance with conditions~~ Conditions of preliminary plat approval as contained in Resolution 4021 for Kersey 3 Div. 1 (PLT05-0001), Resolution 4024 for The Ridge At Bowman Creek (PLT05-0002), and Resolution 4116 for Lakeland Hills Estates (PLT05-0004) shall be completed to the satisfaction of the City, unless modified under the conditions contained herein.
2. Plat boundary discrepancies as may arise shall be resolved to the satisfaction of the City engineer prior to the submittal of the final plat documents. As used in this condition, "discrepancy" is a boundary hiatus, an overlapping boundary or a physical appurtenance which indicates an encroachment, lines of possession or a conflict of title. RCW 58.17.
3. A homeowners' association shall be established which clearly provides for the ownership and continued maintenance of Open Space Tract B, Wetland/Critical Area Tract C, and Maintenance of landscaping within the Utilities and Drainage Pond/Tract A.
4. Nothing in these conditions shall preclude completion of infrastructure improvements by others. Should required off-site improvements be completed by others, the applicant will be responsible for paying any required pro rata share of the costs as may be established and approved by the City, ACC 13.40.060.

ROADS

5. Road facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual road system design layout per Exhibit 3 ~~-(reference)~~. To provide road access to the existing external road network substantial new infrastructure improvements are required including the completion and acceptance of the road infrastructure required to serve the Kersey 3 Division 1A, the The Ridge At Bowman Creek, and Lakeland Hills Estates developments.

Final acceptance of these streets by the City will also require construction and acceptance of all supporting and related infrastructure, such as storm water facilities to collect storm runoff from streets.

6. The applicant shall construct all street improvements in compliance with Auburn Design Standards, with the exception of the two deviations from maximum vertical curve radius on the transition between Udall St. SE and 53rd St SE. and from maximum vertical grade on 54th Street SE., as shown on the approved preliminary plat if those deviation requests are supported by the City Council.

7. Construction activities within the plat shall not commence ~~until construction, completion and accepted by the City of the connecting streets.~~ the connecting streets have been constructed, dedicated, and accepted by the City.
8. Where retaining walls are used adjacent to public roads or within a public facility, the applicant shall provide either mechanically stabilized earth or cement concrete retaining walls, as determined as necessary and approved by the City Engineer.
9. The applicant shall design and construct traffic calming circles on 53rd St. SE and 54th St. SE as shown on the preliminary plat.
10. Internal plat streets and utilities shall be extended to the adjoining property (west) as depicted on the preliminary plat.

SEWER

11. Sanitary sewer facilities shall be provided, constructed and accepted consistent with the City of Auburn Design Standards and the conceptual sanitary sewer system design layout. The applicant will connect the gravity sewer system to the south end of the gravity sewer planned to be constructed as part of the Lakeland Hills Estates and the Kersey 3 Division 1A developments.
12. The applicant shall grant the City additional easement area on Lot 9 to provide a combined width of 30 feet across Tract A and Lot 9 as shown on the preliminary plat maps.

WATER

13. Water facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual water system design layout per the preliminary plat Exhibit 3. To provide adequate water storage and distribution for both domestic water and fire flow, substantial new infrastructure improvements are required including the completion and acceptance of the water infrastructure required to serve the Kersey 3 Division 1A, the Ridge At Bowman Creek, and Lakeland Hills Estates developments.
14. A deviation from the Design Standards is allowed, permitting construction of a dead-end main at the terminus of Victoria Ave SE, if supported by the City Council. Fire hydrant location shall be approved by VRFA and City Engineer.
15. A restriction shall be placed on the final plat stating: "The lowest floor elevation, whether basement or first floor, for residential structures built on Lots 7 through 12 is at or above elevation 352, in order to avoid high water pressure which would require the installation of individual pressure reducing valves."

GRADING, FILL AND STORM DRAINAGE

16. The geotechnical report and addendum report includes recommendations which in part address foundations of homes on fill on Lots 7-10. The placement of structural fill will require special inspection and completion of the City's special inspection forms. Lots 7-10 may require an engineered foundation design for footing placed on structural fill. If

determined to be necessary at the time of plat engineering approval, a note shall be included on the face of the plat stating the restriction.

17. Storm drainage facilities shall incorporate high standards of design to enhance the appearance of the site and serve as an amenity. The design of above ground storage and conveyance facilities shall incorporate landscaping utilizing native vegetation, minimal side slopes, safety, maintenance needs, and function. Prior to engineering approval and construction, a landscaping plan with applicable cross-sections shall be provided to demonstrate that storm drainage pond aesthetic requirements consistent with City standards can be accommodated on-site.
18. All storm drainage conveyance lines required to manage upstream bypass surface flows shall be routed through the project site and shall not be combined with the proposed on-site storm drainage system.
19. The HOA shall maintain those portions of the Public Utilities and Detention Tract A located outside the fenced pond boundary, or if no fence is provided, outside the 10-year storm water surface elevation, as determined by the City Engineer.
20. Given the steep slopes found on the site, appropriately designed energy dissipation features are required at the end of long runs of pipe, at pipe intersections and at the inlet/outlet to the storm drainage pond.
21. Storm drainage facilities shall be provided consistent with the City of Auburn Design Standards and the conceptual storm drainage system design layout per (Exhibit 3). In order to achieve this, the following design elements shall be incorporated into the proposed design:
 - Construct a 3' wide berm and security fence @ the 10-year water surface elevation.
 - Maintenance is required along the length of the bioswale.
 - Geotechnical engineering recommendations.
 - Install bollards at the pond access road.
 - Meet minimum access turning radius requirements at all vehicular accessible areas.
22. All residential downspout connections and footing drains shall be tightlined to the nearest public drainage system and be placed within private drainage easements.
23. Prior to issuance of clearing or grading permits, a grading plan for grading and clearing necessary for both the construction of infrastructure such as roads and utilities and for lot grading shall be prepared, submitted and approved by the City of Auburn. The purpose of the plan is to accomplish the maximum amount of grading at one time to limit or avoid the need for subsequent grading and disturbance, including grading of individual lots during home construction. The plan shall identify the surveyed boundary of the crest slopes for the site's 40% or greater slopes. This plan shall show quantities and locations of excavations, and embankments, the design of temporary storm drainage detention system, and methods of preventing drainage, erosion and sedimentation from impacting adjacent properties, natural and public storm drainage systems and other near by sensitive areas. Temporary detention facilities shall be designed with a 1.5 safety factor applied to the post-developed

calculated pond design volume for the 25-year 24-hour post developed storm event. All the measures shall be implemented prior to beginning phased on-site filling, grading or construction activities. The applicant's grading plans shall be prepared in conjunction with and reviewed by a licensed geotechnical engineer. The geotechnical engineer shall develop and submit, for the City's review, specific recommendations to mitigate grading activities with particular attention to developing a plan to minimize the extent and time soils are exposed on site and address grading and related activities during wet weather periods (the period of greatest concern is October 1 through March 31). The plans shall show the type and the extent of geologic hazard area or any other critical areas as required in Chapters 16, and 18 of the International Building Code (IBC). (Policy EN-69, EN-70, ACP) and/or the City's Critical Areas Ordinance. Also see SEPA Mitigations and Wetland conditions below, Conditions 29-33 and 36-37.

24. Upon completion of rough grading and excavation, the applicant shall have a geo-technical engineer re-analyze the site and determine if new or additional mitigation measures are necessary. A revised geotechnical report shall be submitted to the City of Auburn for review and approval by the City Engineer. Recommendations for areas where subsurface water is known or discovered shall be given particular attention by the geotechnical engineer and coordinated with the project engineer responsible for the storm drainage system design.
25. Any discharge of sediment laden runoff or other pollutant to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington. All releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials during construction must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.
26. Prior to commencing site clearing or grading activities, the applicant shall submit a proposed dust control plan for review and approval. This plan shall show methods of preventing dust from impacting adjacent properties, natural and public storm drainage systems, and right-of-ways. Control measures shall be implemented prior to the beginning and in conjunction with on-site clearing, filling, grading or other construction activities.
27. Truck Route -Prior to issuance of grading or other construction permits, the applicant shall submit a haul route plan explaining: roads to be traveled on, type of material to be hauled, total quantity of material to be hauled, total number of expected days of the haul, expected daily start and end time of the haul, total number of trips, total number of expected trips per day estimated start and completion date. A traffic control plan shall be submitted showing intended methods and placement of traffic control and clearly showing the site entrance used for hauling. Based on the haul route plan, the City Engineer may condition hauling operations to mitigate impacts to streets. Such measures may include road repair or reconstruction, limitations to days and times of the haul, and installation of traffic control measures.
28. ~~All construction shall occur between the hours of 7:00 a.m. and 10:00 p.m. Monday-Saturday and between the hours of 9:00 a.m. and 10:00 p.m. on Sundays.~~

WETLANDS

29. The Category 4 Wetland and associated 25 foot wide buffer shall be preserved in a separate critical areas tract, and shown as the final plat. Final plat notes shall be recorded and include the following statement:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND BUFFERS

Restrictions of a Critical Area Tract/ Critical Area and Buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The Critical Area Tract/ Critical Area and Buffer imposes upon all present and future owners and occupiers of the land subject to the Critical Area Tract/ Critical Area and Buffer the obligation, enforceable on behalf of the public by the City of Auburn, to leave undisturbed all trees and other vegetation within the Critical Area Tract/ Critical Area and Buffer. The vegetation within the Critical Area Tract/ Critical Area and Buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the City of Auburn, Department of Planning, Building and Community, unless otherwise provided by law.

The common boundary between the Critical Area Tract/ Critical Area and Buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of the City of Auburn prior to any clearing, grading, building construction or other development activity subject to the Critical Area Tract/ Critical Area and Buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the Critical Area and Buffer are completed.

No building foundations or other structures are allowed to be located within the Critical Area and Buffer, nor shall any foundations or structures be located adjacent to the Critical Area and Buffer such that normal maintenance of buildings or structures would result in intrusion of the Critical Area and Buffer

30. A wetland hydrology analysis shall be prepared by a qualified professional to assess whether or not the proposed storm drainage control system will result in a net loss of wetland hydrology, function and value. The wetland shall be monitored over a 3 year period to determine if a net loss in wetland hydrology, functions, and/or values has resulted. A monitoring schedule and contingency plan for the wetland shall be submitted for review and approval by the Planning Director prior to the commencement of any construction activities.
31. Temporary Wetland Markers. The outer perimeter of the critical area buffer and the limits of those areas to be disturbed shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by PB&C Department prior to the commencement of authorized activities. This temporary marking shall be maintained throughout construction, and shall not be removed until permanent signs are in place.

32. Permanent Wetland Signs. The applicant shall install permanent signs along the boundary of Wetland/Critical Area and Buffer Tract C. Permanent signs shall be made of a metal face and attached to a metal post, anchored, or other materials of equal durability approved by PB&C. Signs must be posted at an interval of one per every 50 feet, and must be maintained by the homeowner association in perpetuity.
33. Fencing: A permanent split rail fence shall be installed at the edge of the wetland buffer to discourage human activities within the buffer area. Fence design, including dimensions and materials shall be approved by the Director of Planning, Building & Community.

LOT DIMENSIONS

34. A modification from ACC17.12.250 is allowed, permitting a 75' width for the two corner lots on Udall Ave SE, if supported by the City Council. All other dimensions shall comply with the vested R-1 zone.

HISTORIC

35. Site disturbing activities should be monitored by the Applicant to determine the presence, if any, of archaeological resources within the proposed subdivision site boundaries. Evidence of the presence of archaeological resources shall be promptly reported to the City of Auburn.

SEPA

36. To assure slope stability at the time of site development, geotechnical engineering is necessary. The applicant shall comply with the recommendations contained in the Geotechnical Engineering Study dated March 30, 2007 and Addendum dated April 4, 2008, prepared by Geotech Consultants, Inc.; policy mandates of the Auburn Comprehensive Plan; and Critical Areas Chapter, ACC 16.10 by having a licensed geotechnical engineer sign and stamp civil plans for site development permits (including, but not limited to grading, facility extension and building permits for retaining walls).

All other recommendations contained in the Geotechnical Engineering Study shall be made conditions of project/permit approvals for plat development. For example, a qualified geotechnical representative shall be present during the site clearing and grading; and a qualified geotechnical representative shall conduct frequent density tests as structural fill is being placed and compacted.

37. To mitigate for aesthetic and wildlife impacts and support slope stability, due to the removal of significant trees and creation of steep slopes, a revegetation plan shall be prepared meeting the minimum "Best Management Practices" per Washington State Department of Ecology guidance for planting native vegetation on steep slopes. The plan shall be prepared by a plant biologist (or other professional with equivalent degree) and geotechnical engineer.

Final revegetation of slopes graded to 40% (2.5:1 ratio) or greater shall conform to the revegetation plan. Planting shall be completed prior to final plat approval. A financial guarantee shall be posted for three years to assure maintenance, survival and replacement of vegetation.

Below is the recommended change in language to Recommendation General item 1 page 20 of 27 based on switching rough grading down to after completion of plat roads on Lakeland hills estates.

NPDES SWPPP implementation and Forest Practice work can be completed on the subject parcels to City of Auburn and State regulations and standards. Rough grading, facility extensions, final road grading, road paving, sidewalks, traffic calming devices, landscaping, or building construction may not proceed on Forest Glen at Lakeland until the final road grades, water, sewer, power, cable, and gas utility installations conditions set forth on said plat roads of 53rd Street SE, 54th Street SE, and Victoria Ave SE of Kersey 3 Division 1 (PLT05-0001), The Ridge At Bowman Creek (PLT05-0002), and Lakeland Hills Estates (PLT05-0004) have been completed to the satisfaction of City of Auburn Resolutions 4021, 4024, and 4116 respectfully. No building permits may be issued on Forest Glen at Lakeland until all supply and delivery utility facility extension requirements of resolutions 4021, 4024, and 4116 have been completed to the Satisfaction of the City of Auburn.

Dave Dotunier

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PLT06-0008
Forest Glen
EXHIBIT 29